

OFFER
FLY SOUTH
51 pairs of Virgin Atlantic tickets to Johannesburg to be won
TOKEN TWO AND DETAILS
PAGE 37



FROM AUSTEN TO ARSENAL
Colin Firth, still shaking off the Darcy hangover
PAGE 17



LIBBY PURVES
Who's winning the war of the countryside?
PAGE 18



POETS CORNERED
A new anthology from Hughes and Heaney
PAGE 36



Trade gap narrows to £14 million

Tories choose economy as battleground

By Philip Webster, Political Editor

JOHN MAJOR claimed that Britain was booming and raised the spectre of a return to industrial warfare under Labour yesterday as he tried to get back on the offensive after a faltering start to the election campaign.

Along with Kenneth Clarke, Michael Heseltine and other ministers, Mr Major played the economy card, helped by the latest trade figures showing the narrowing of the deficit to only £14 million in 1996 after reaching nearly £4 billion the previous year.

The Prime Minister declared that his ambition to double living standards over 25 years would be put at risk by Labour, who could never stick to Conservative spending plans and would tax more.

Mr Clarke issued 10 economic pledges, including an eventual 20p basic rate of tax and inflation at less than 2.5 per cent, and challenged Gordon Brown to match them.

Mr Major and other ministers fastened with glee on to the confirmation of Labour's long-standing plan to require union recognition in com-

panies where more than 50 per cent of the employees want it as a sign that Labour was secretly planning to hand more power back to the unions — a claim ridiculed by the Labour leadership.

Speaking in Exeter, Mr Major said: "It is perfectly clear Labour are entering the first step into fresh deals with the trade unions."

Mr Heseltine said Labour's proposals would put the unions back in the driving seat of industry and "send a shiver down the spine of every businessman in the land". British companies would be turned into a "battleground" as unions struggled to achieve the 50 per cent to ensure them negotiating rights.

The union recognition proposal, though old, gave the Conservatives a target they relished. They used it to press home warnings about Labour signing up to the social chapter and other European social legislation.

The Tories were delighted by the intervention of Adair Turner, the director general of the CBI, who said his organ-

isation was opposed to compulsory recognition. "We strongly believe that good employee relations should be built on trust. This cannot be fostered if collective bargaining has been imposed on an employer by a trade union." He strongly welcomed, however, Labour's pledge not to repeal the main Tory union reforms.

The double attack gave the Conservatives their most comfortable day so far, enabling them to cast aside the shadow of the cash-for-questions affair that dogged them for most of last week.

But Labour hit back, pointing to warnings from the research group Oxford Economic Forecasting, suggesting that whoever wins the election will have to face tough economic decisions almost as soon as they take office. The report points to rising inflation and a manufacturing sector suffering under an uncompetitive exchange rate.

Tony Blair said the report showed "that the economy is not nearly as strong as the Tories would have us believe". On his way to campaign in the Peak District, he said: "They do this before every election. They come along and say Britain is booming, but the truth is that if we want a recovery for everyone, then we have to tackle the fundamentals, in particular the size of our industrial base and education skills... They said before 1987 we were living through an economic miracle. They said it in 1992, and boom was followed by bust."

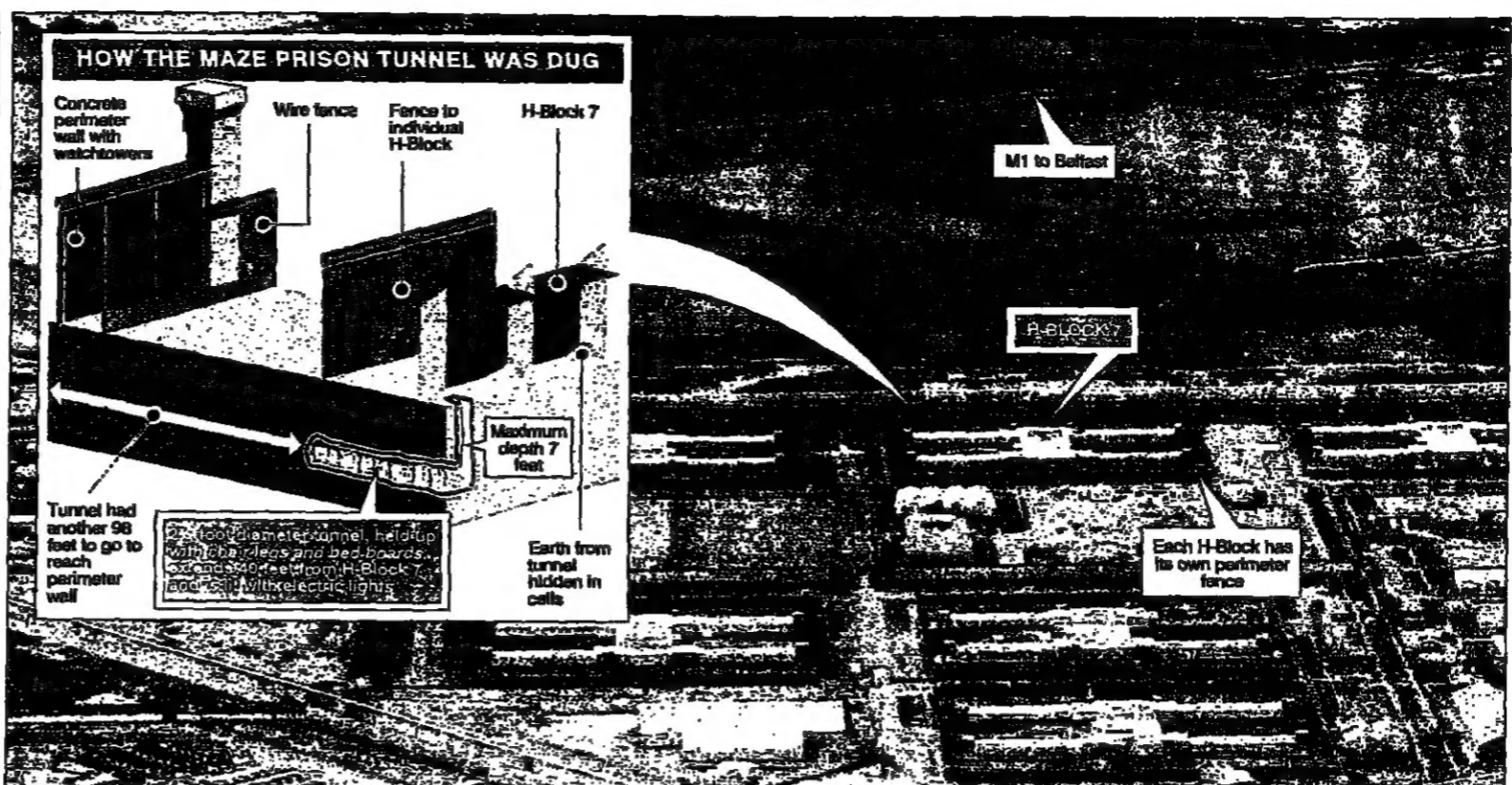
Malcolm Bruce, the Liberal Democrat Treasury spokesman, said: "After boom comes bust. Kenneth Clarke, having talked tough on inflation, has relaxed his stance as the election approaches. If inflation creeps up, it will be impossible to sustain the current recovery."

The City had been taken by surprise as last year's balance of payments tally came in at just £14 million — considerably lower than the £400 million deficit forecast and a sum dwarfed by the volume of trade, which amounted to £639 billion of imports and exports.

Gillian Shephard, Education Secretary, will today announce plans to test children on all subjects in the school curriculum at the age of 14.

Under the proposals, to be included in the Conservative manifesto, children will get a new "school certificate" if they pass the exam. At present 14-year-olds are tested only in English, maths and science.

Election 97, pages 9 and 10
Anatole Kaletsky, page 18
Leading article, page 19
Deficit narrows, page 27



IRA's Maze tunnel escape plot foiled

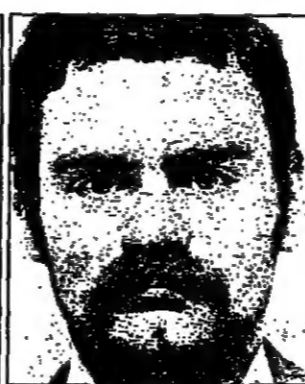
By Nicholas Watt, Chief Ireland Correspondent

THE Government was under mounting pressure last night to launch a review of the prison regime in Northern Ireland after the most audacious attempt by the IRA in more than a decade to escape from the high-security Maze Prison.

The Prison Officers' Association in Northern Ireland blamed a "liberal regime" at the jail for allowing terrorists to dig a 40 ft tunnel out of H Block 7, which houses some of the IRA's most notorious terrorists.

Patrick Magee, the Brighton bomber, and Thomas Quigley, who was given five life sentences in 1985 for mainland bombing offences, were among 95 IRA terrorists preparing to escape along the tunnel, which was 7 ft underground.

The other prisoners included Gerard Mackin and Feilim O Hadhmaill, who were jailed at the Old Bailey in 1994 for plotting to cause explosions.



Terrorists who could have fled, from left, are O Hadhmaill, Magee and Mackin

Patrick Wilson, a convicted bomber from West Belfast, masterminded the escape plan as the IRA's so-called "officer commanding" on the block.

The tunnel, which measured 25 ft square, was discovered by a prison officer at 9.30 pm on Sunday after a section collapsed outside H Block 7, leaving a hole. Officers discovered a tunnel which ran from a cell inside the block to just beyond the perimeter fence surrounding the block.

Using makeshift tools, which had probably been

smuggled into the jail by relatives and Republican sympathisers, the terrorists managed to dig the thick concrete base of the block. In one of the most brazen IRA escape plans, they then dug away from the block to within 30 yards of the prison's main perimeter fence, using chair legs and bed boards to reinforce the walls of the tunnel.

The terrorists got the bed boards from the prison doctor by lining up a series of inmates who complained of back pain and were supplied

with boards to put under their mattresses.

The tunnel, fitted with electric lights, had just reached past the block's perimeter fence when it was discovered. The prisoners still had to dig under one more fence before reaching the main prison perimeter wall 30 yards away.

Within hours of the discovery of the tunnel, prison officers cleared the 95 IRA prisoners from H Block 7. The inmates were dispersed to the three other Republican H Blocks at the Maze while the

prison authorities started a detailed search of the block.

Finlay Spratt, the chairman of the Northern Ireland Prison Officers' Association, said that the tunnel had been very well constructed. He blamed a policy of appeasement by the Prison Service for allowing prisoners to do as they like in the Maze.

Mr Spratt called for an inquiry to examine the escape plan and the wider issue of the running of the prison. He said: "We need to make the public aware of what is going on." Unionists demanded an inquiry into the running of the Maze and claimed that it was disgraceful that prison officers were virtually controlled by terrorist inmates.

The 500 terrorist prisoners at the Maze, which include Republicans and loyalists held in eight separate H Blocks, are free to roam around their wings. They each have their own cell, are allowed unlimited access to recreational facilities and are rarely troubled by prison officers.

Relaxed regime, page 4

Maths homework divides the Blairs

By Russell Jenkins

CHERIE BLAIR learnt a political lesson yesterday — never try to outsmart children during an election campaign.

Just like Dan Quayle, the former American vice president who mistakenly put an "e" on the end of potato at a school and was ridiculed for not being able to spell, she tripped on her mathematics.

The embarrassing little gaffe happened as — unusually — Tom Lane, 10, was finishing his Year Six mathematics homework with nine others on Sheffield's Hillsborough football pitch. The Year Six mathematics question, aimed at ten-year-olds, asked the child to calculate how many rides could be taken on a carousel, big wheel and big dipper, and still leave change out of his pocket money.

Mrs Blair helpfully told him: "We've got 50p left, we could do..."

But Tony ventured: "You've got 40p left."

Mrs Blair hesitantly replied: "Oh yes... of course."

Mr Blair, going to her aid, said: "I think you'd better get the rubber out on that one." As the boy laughed, he asked: "Is that Cherie that told you the

wrong answer, is it?" The boy owned up: "Yes." Before all three burst into laughter — Mrs Blair's a little more embarrassed than the others — Mr Blair added: "Oh dear, don't listen to her."

With foresight maybe a little more astute than her mental arithmetic, Mrs Blair, a leading expert on family law, added: "I suppose I'll never hear the end of it."

Tom, who attends Brookhouse primary school in Beighton, Sheffield, supports Sheffield Wednesday. Mr Blair was waiting to do a live satellite link-up with David Blunkett at Chelsea FC.

The boy found himself at the ground to illustrate a new Labour plan to encourage homework. Premier League clubs will be encouraged to set up centres for study support at or near their grounds, to be open for four hours at a time, six days a week. They will be equipped with the latest technology.

Before the unscripted incident, Mr Blair had volunteered that he could name most of the Spice Girls. At Loughall Hall, the Peak Park's Environmental study centre, he uncovered an earthworm and found a frog.

Mrs Blair suggested: "If you kiss him I am sure he'll turn into a handsome prince."



Hired killer jailed

A contract killer brought over from Dublin to London to settle a gangland feud that has cost eight lives was jailed for life at the Old Bailey yesterday... Page 3

Life-saving diet

More than 30,000 lives could be saved each year if everyone in Britain ate five portions of fruit and vegetables a day, heart specialists said... Page 6

Carey strictures on 'living in shame'

By Ruth Gledhill, Religion Correspondent

COUPLES living together "will bring down the institution of marriage", the Archbishop of Canterbury, Dr George Carey, warns today as he calls for society to rediscover the concept of "shame".

In a revealing interview to mark Easter, the Archbishop says: "Shame is a very important and neglected word." Making one of his strongest condemnations of adultery, he says: "We don't want to point the finger at people just so they feel guilty, but we need to remind them there are moral values worth espousing."

He says couples who cohabit may be living a life together which is almost indistinguishable from marriage, and questions why they do not actually get married. Determined to show that the Church of

England can and does give a strong moral lead on issues of sexual morality, Dr Carey urges a return to the ethics of the Ten Commandments in an interview with the Easter edition of Radio Times.

"I'm not wishy-washy. I have clear goals, but life is complex. You can still give a moral lead, but it is unwise to say everything is black and white. When there are shades of grey we must paint the picture as it is."

Dr Carey goes on to defend the decision by the Bishop of Birmingham, the Right Rev Mark Santer, to marry a divorcee, Mrs Sabine Bird. The Archbishop, who came under fire for not condemning the marriage when it was announced recently, calls for

Continued on page 2, col 3

France remembers another good reason for drinking

FROM BEN MACINTYRE IN PARIS

FRENCH wine-drinkers were celebrating in the obvious manner yesterday after the publication of a scientific study showing that three or four glasses of wine a day can help prevent senile dementia in general and Alzheimer's disease in particular.

Scientists at Bordeaux University Hospital said that moderate consumption of wine reduced the risk of developing Alzheimer's by 75 per cent. The findings, published in the

Neurological Review, were greeted with undisguised enthusiasm.

One of the authors, Dr Jean-Marc Orgogozo, a neurologist, said that research had shown "a really sharp drop in Alzheimer's disease and senility among subjects who drank wine moderately". But further research was necessary before advising the elderly to take a regular daily tipple.

"It seems there is no medical reason to advise people over 65 to quit drinking wine moderately as this

habit carries no specific risk and may be of some benefit," Dr Orgogozo said.

Light wine-drinking (one or two glasses a day) did not lead to a significant reduction in the incidence of senile dementia or Alzheimer's while heavier drinking (more than four glasses) also carried no apparent health benefit. Earlier research has shown that consumption of wine has a protective effect against heart disease.

Although the study was carried out in Bordeaux the scientists emphasised that it was not financed by the wine

industry but by insurance and pharmaceutical companies.

The nine-year study, carried out among 3,771 people aged 65 or over in the Gironde and Dordogne regions, compared the onset of Alzheimer's and senility among groups who drank wine lightly, moderately or not at all. Dr Orgogozo said that the apparent benefits of wine might not extend to other drinks. "Until more is found out about beer it is difficult to say whether it is the alcohol or other ingredients in wine that are playing a role."

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TV & RADIO 50, 51
WEATHER 26
CROSSWORDS 26, 52

LETTERS 19, 31
OBITUARIES 21
LIBBY PURVES 18

ARTS 36-38
CHESS & BRIDGE 46
COURT & SOCIAL 20

SPORT 45-50, 52
LAW REPORT 23
LAW 39, 41

Salmond seeks legal block on TV election debate in Scotland



Salmond: not invited to take part in broadcast

By GILLIAN BOWDITCH and PHILIP WEBSTER

THE Scottish National party will today begin legal action against ITV to prevent the broadcasting in Scotland of any election leadership debate which does not include its leader Alex Salmond.

Amid deadlock in the London talks trying to reach agreement on a format, the SNP had written to both ITV and BBC to clarify Mr Salmond's position in any broadcast leadership debate. ITV replied that he would not be invited to take part.

Yesterday Mike Russell, the chief executive of the SNP, said the ITV

ruling was a clear infringement of the Independent Television Commission's regulations concerning general election coverage.

He said an interim interdict, the Scottish equivalent of an injunction, would be lodged against the Scottish independent television companies STV and Grampian, to prevent the broadcast in Scotland in the election campaign of a leadership debate which did not include the SNP.

Mr Russell said the party would seek further clarification from the BBC, which had not yet ruled Mr Salmond in or out of a televised debate, although it has yet to be

decided what format the programme would take and whether it would be done by the BBC or ITV. The SNP said it had set both the BBC and ITV a deadline of yesterday to respond to its concerns and ITV had sent a flat rejection.

In a fax to the party, Paul Corley, ITV network controller for factual programmes, said: "We are obliged to ensure due impartiality across ITV's national and regional schedules in the run-up to the general election."

"The Leader's Debate, if it happens, will be only one televised event among many during the campaign and regrettably we are unable to

extend an invitation to Mr Salmond to take part."

In London, the talks between the broadcasters and the three main parties were expected to continue today, but informed sources do not expect a deal. If at all, until the end of the week.

Labour is still insisting that the audience should be allowed to put questions, to which the Tories are opposed. Lord Holmes, who is negotiating for Paddy Ashdown, said the Liberal Democrats were reluctant to take legal action. But they wanted equal participation but not necessarily equal time. "What we won't accept is the spectacle of

Mr Blair and Mr Major inside the house and Paddy Ashdown in a bicycle shed, a little ghetto of his own, being interviewed. We want him to participate in the debate," he said.

Michael Dobbs, the former Tory party vice-chairman who is heading the Conservative team, said the broadcasters were putting forward plans which contained "a very substantial role" for the Liberal Democrat leader.

"It is ludicrous to suggest we are scared of Paddy Ashdown. We have set down no conditions. But we are responding to what the broadcasters themselves have put forward."

Mr Dobbs said: "The Liberals are trying to move the goalposts because they are not treated on an equal basis in terms of election coverage or election broadcasts."

Tony Blair meanwhile dismissed Tory claims that he was now running scared of a TV debate. He insisted: "We have always wanted a debate. The terms of it — let the media and professionals work out. What is important is that the election campaign centres on the key economic and social questions facing the country."

Election '97, pages 9 and 10
Leading article, page 19

SNP says it was offered £30,000 to back superquarry

By GILLIAN BOWDITCH, SCOTLAND CORRESPONDENT

ALLEGATIONS of pre-election bribery and corruption are causing outrage in the god-fearing crofting communities of Lewis and Harris in the Western Isles after the Scottish National Party claimed to have been offered a £30,000 bribe in return for backing the controversial "superquarry" on Harris.

Anne Lorne Gillies, the SNP candidate for the Western Isles and a Gaelic singer who regularly performed on television in the 1970s, said she was offered the money in return for her party dropping its opposition to the controversial £70 million quarry. The Scottish National Party has informed the police of the approach.

A decision on planning permission for the quarry, which was the subject of an eight-month planning inquiry, will be made by the Scottish Secretary after the general election. The quarry has divided the islands and set family against family.

The Scottish National Party says it was approached by telephone six months ago and told that an intermediary who claimed to be acting for Redland Aggregates, the company behind the quarry, had a sum of £30,000 to back the SNP if it changed its policy.

The party did not take the approach seriously because the sum involved was so large. The SNP campaign in the Western Isles will cost a maximum of £5,000. A second approach was made last autumn when votes were offered in return for a change of policy on the superquarry.

Last week a third telephone approach was made to Dr Gillies personally. She said she was told that if she supported the quarry, the caller could get the people of Harris to vote for her. "I felt insulted. There is no way anybody is going to buy my support. I put the phone down," she said.

The SNP has not named the intermediary but yesterday he was said to be Captain Bill

Macdonald, the Lewis-born managing director of Stanton Marine in Birkenhead, Merseyside, who was an adviser on shipping matters to Redlands in 1995. He denies making the approach but admits speaking to Dr Gillies on the telephone last week.

A spokesman for Redland denied that Captain Macdonald was a consultant to the company and said that no one had been authorised to make any approach. "Redland utterly and completely refutes any allegations of bribery. They are totally unacceptable and quite beyond belief," he said. Redland's internal investigations were said to be continuing yesterday.

Speaking from Birkenhead yesterday Captain Macdonald said: "I deny the allegations being made. If I had £30,000 I know where I could spend it rather than give it to any political party. I have an honourable reputation and I feel this is the dirty tricks brigade at work."

"I would like to know who made this bribe offer. I certainly didn't. I think this is a campaign to discredit not only Redlands but myself as well. Dr Gillies telephoned me, not the other way around. I would certainly never discuss supporting any political party."

Yesterday the Scottish National Party stood by its allegations and police in Stormoway confirmed they had been informed by the SNP, although no formal complaint had yet been made.

Angus Nicolson, Dr Gillies's agent, said the SNP had decided to go to the police because rumours that it was about to change its policy on the superquarry were rife on Harris. "The third approach was so clumsy as to be almost insulting," Mr Nicolson said. "The suggestion being made was that if we changed our view then this person could sway voters to back us."

Mr Nicolson said the sum of £30,000 had been mentioned only once but that the approach was unambiguous.



Demi Moore, accused of "bumbling and grinding" her way through *Striptease*

Moore is less as star collects a pair of Golden Raspberries

FROM GILES WHITTELL IN LOS ANGELES

AS THE world's film stars basked in the glory of Oscar night, Hollywood's best-paid actress received a couple of awards she could well have done without: Golden Raspberries for the worst actress and the female half of the worst screen couple.

Demi Moore's "bumbling and grinding" in *Striptease*, in which she plays a mother who takes up go-go dancing to support her child, earned her the least coveted awards in showbusiness, plastic raspberries worth \$2.19, presented by 475 film industry insiders. Ms Moore was paid \$12 million for her performance.

Burt Reynolds, who played her lecherous admirer, shared

the "worst screen couple" award, for which Pamela Anderson Lee's breasts had also been nominated. Marlon Brando won a raspberry for worst supporting actor in *The Island of Dr Moreau*, and Ms Lee was named Worst New Star for her big-screen debut in *Barb Wire*.

Otherwise, *Striptease* all but swept the board, taking six so-called Razzies, including one for the year's worst song, entitled *Pussy, Pussy (Whose Kitty Cat Are You?)*. Not a single winner attended the 17th annual Golden Raspberries ceremony, held at the Hollywood Roosevelt Hotel on Sunday.

Before last night's Oscars

ceremony, the director of the heavily nominated *The English Patient*, Anthony Minghella, was worried that Ralph Fiennes would not win a best actor award because the judges might not have understood his double role.

Fiennes plays a pilot, hideously disfigured by burns, and in flashback a dashing explorer. Minghella said many filmgoers did not realise that Fiennes plays the pilot because of his make-up.

The director said: One of the most extraordinary things about Ralph's performance is that it is two performances in one. Some people have said to me: 'Is that Ralph lying in the bed there?'

Stores to introduce voluntary genetics labelling

By SARAH CUNNINGHAM

CONSUMERS can expect to see new labels appearing on many food packages in the coming months warning that the products they are about to buy have been genetically modified or contain modified ingredients.

The increased use of such labelling, beyond that imposed by the Government and the European Commission, is recommended by the Institute of Grocery Distribution (IGD) in a document to be published today. It is intended as a way of dealing with widespread public concern about genetic modification and food safety, particularly in the wake of the BSE crisis. Some scientists claim genetic modifications risk introducing new allergies and illnesses.

The IGD, which includes all Britain's major supermarket chains and main food manufacturers, suggests that whenever they can be identified in a product, the words "genetically modified" appear on ingredient lists or alongside the product name. It warns against negative claims, such as "free from genetically modified ingredients".

J Sainsbury and Safeway already put special labels on tomato paste made with genetically modified tomatoes. ASDA and Iceland have said they will not stock foods which they know are genetically modified or which contain modified ingredients. The problem with that stance is that genetically modified soya arriving at food manufacturers from the US is not labelled as such, and around 60 per cent of prepared foods contain soya.

The IGD is now working on an agreement with American farmers' organisations and distributors to ensure that genetically modified soya coming to the UK is separately packaged and labelled. It hopes to have the agreement in place by the time of the next soya harvest in September. A number of British food manufacturers, worried about customer resistance, have avoided buying American soya from the latest harvest.

In the meantime, in cases where it cannot be confirmed that ingredients are genetically modified, the IGD recommends that retailers increase the use of leaflets and posters.

Fruit saves lives, page 6

Nurse caught Aids after needle accident

A nurse died of an Aids-related condition more than 11 years after accidentally wounding herself with a dirty needle, an inquest was told. Sister Kathryn McCarthy, then 25, was taking a blood sample from a female patient at the Royal Naval Hospital, Gosport, when she was jostled from behind and slipped, sticking the needle into the base of her thumb.

The hearing in Salisbury was told that the patient from whom she had been taking blood died of pneumonia as a result of Aids soon after. Miss McCarthy began to suffer from flu-like symptoms a short time later and HIV was diagnosed. She died on March 6 last year. David Masters, the Wiltshire Coroner, recorded a verdict of misadventure.

Canoeist's body found

A body washed up on a beach in Skye on Sunday has been confirmed as that of Gail Webster, 33, an experienced canoeist who went missing two weeks ago off Iona. Miss Webster, a carer working on Iona, went missing after she set off on a solo expedition on March 10. A two-day search had turned up only Miss Webster's paddle and wetsuit.

Wheelchair man shot

A disabled man was shot dead as he arrived in the driveway of his home in Bromley, southeast London. Five shots were fired by two masked gunmen who climbed into the back of a white van. The man, in his late 30s or 40s, may have been in his wheelchair after getting out of the car. He was flown to the Royal London Hospital but died within an hour.

New CJD kills teenager

A teenager has been killed by the new form of CJD. Matthew Parker, 19, of Doncaster, died after falling into a coma a week ago. He had been ill for a year. The new variant of CJD — which has been linked to beef — was confirmed last month after a brain biopsy. Matthew, who was fond of fast food, had been studying for four A levels.

Teenagers burnt to death

A 16-year-old boy believed to have taken his father's car without permission, burnt to death after crashing near Inkersall, Derbyshire. The teenager and a girl, also 16, were killed after their car hit a tree. Police were last night trying to identify the youngsters from their dental records. A 16-year-old boy received minor head injuries.

Gambling laws eased

Gambling laws are to be relaxed from April 19 as part of the government programme of deregulation. Casinos and bingo halls will be allowed to accept debit cards and all restrictions on bingo advertising will be removed. Betting shops will be allowed to advertise in newspapers and magazines and midweek football pools competitions will be permitted.

Dismissal claim won

A strict female manager who claims she was hounded out of her job by female staff has won a claim for wrongful dismissal. A tribunal also found Marlene Turner, right, of Streatham, south London, was a victim of sex discrimination after she became pregnant while working for Reed Personnel. Miss Turner, 43, said that she had been forced to leave after staff made jokes about her pregnancy and orchestrated a campaign to get rid of her. They complained to their director that she swore at them constantly and did no work. Last week, the tribunal found Miss Turner had been subjected to sexual discrimination, constructive unfair dismissal and wrongful dismissal. Reed said yesterday they were awaiting a full report on the decision. "Marlene's principal allegation — that she had been dismissed by reason of her pregnancy, was unanimously rejected by the tribunal. This means many of Marlene's allegations were rejected by the tribunal."



Trapped whale sets sail

A 40ft sperm whale that has been trapped in the River Forth is believed to have returned to the sea to continue its journey to the Azores. To the disappointment of sightseers but relief of rescuers, there were no sightings of the whale along the Forth yesterday, despite several forays by conservationists on boats.

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'Shame' of unmarried couples

Continued from page 1

greater compassion to be shown. "Here is a man who lost his wife through cancer, who has known this other lady for many years. She was divorced 13 years ago — not of her own making. It is very sad that people can deprive him of the love and joy in this relationship."

Dr Carey says there is no reason why a divorced Prince of Wales could not succeed the Queen as Supreme Governor of the Church of England when he becomes sovereign.

Dr Carey, who has four children, two of whom are divorced but happily remar-

ried, says he believes in the "absolute-ness" of marriage, but everyone must live with the reality that four out of ten will end in divorce.

Reluctant to be drawn on whether practising homosexuality is a sin, because he did not wish to be seen as closed to the arguments to either side, he says: "As a church we must make it very clear that homosexuality itself is not a major issue." He continues: "We welcome homosexuals. We want them to feel loved by Almighty God, but we disapprove of same-sex relationships."

Challenged on whether it is a sin, Dr

Carey says: "The Bible says it is, and I am a person who takes biblical witness very seriously." But he then adds: "It is terribly important for me not just to say, this is sinful."

Dr Carey admits to interviewer Andrew Duncan that there have been times in his life when he has doubted God. "But that has always provided me with an opportunity to look at my faith again."

He also confesses that he misses being a vicar, and the ministry of caring after people from cradle to grave. "What I find sad about my life now is that it is a ministry of brief encounters," he says.

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Dublin gunman ambushed by detectives as he opened fire in south London crime war

Hitman jailed in gang feud that cost eight lives

BY STEWART TENDLER, CRIME CORRESPONDENT

A CONTRACT killer brought over from Dublin to settle a gangland feud which has cost eight lives was jailed for life at the Old Bailey yesterday.

Michael Boyle, 49, was ambushed by police marksmen as he opened fire on Tony Brindle outside his home. Brindle, a member of what the court was told was "a south London family well known to the police", survived the attack, which was ordered by a rival family called the Dalys.

Detectives say the 11-year feud was fuelled by disputes over drugs, "respect" and territory. Victims have included Mr Brindle's brother David, the escaped armed robber James Moody and three innocent men shot in error. Frankie Fraser, former henchman of the Richardson brothers, was wounded in one attack.

Sentencing Boyle, from Inchicore, Dublin, who had denied attempted murder, the Recorder of London, Sir Lawrence Verney, QC, said: "Of all the classes of killer, the contract killer must be regarded as the worst; a man who is prepared to offer his services to take a life of someone totally unknown to him and to do so for payment."

"In this case," he told Boyle, "there is a background of a feud which has lasted over many years and has cost eight lives, and it is something of a miracle that there was not a ninth life lost as a result of your conduct."

David Roads, 51, of Croydon, south London, who was accused of being Boyle's armourer, was cleared of attempted murder and posses-

sing firearms with intent to endanger life but was convicted of possessing an explosive substance, possessing firearms without a certificate and handling stolen goods. He was sentenced to ten years.

Scotland Yard officers think that Boyle's attack on Tony Brindle was his second attempt to kill someone in the family. He was the gunman behind a failed attack on his brother George in November 1995 on his doorstep.

Irish police say he mixed in Irish National Liberation Army circles, but anti-terrorist officers dismiss any serious connections. He was convicted of the kidnap of a solicitor and the wife of a businessman in 1984 and later became an informer for the Irish police after being arrested for theft.

During the trial, the court was told that Boyle was recruited by a Dublin criminal and drug-dealer called George Mitchell. Mitchell was acting

for Peter Daly, who is now living in Spain. The court was told that Daly was said to have financed Mitchell's Dublin operations.

Boyle told the Irish police about the plot and said that three murders had been ordered. He was told not to take part, Boyle ignored the advice, unaware that his handlers had alerted Scotland Yard and the South East Regional Crime Squad. Undercover detectives watched Boyle for eight weeks as he prepared. Brindle was never told of the plot because police feared this could disrupt the attack and leave them with no evidence.

They believed that they would stop Boyle just as he struck. But he caught them unawares, opening fire from a van parked outside the Brindle home. His victim retreated wounded and police hit Boyle five times as he gave chase.

According to Scotland Yard investigators, the attack on

Brindle was the latest bloody chapter in a saga that began in 1986 with fights in the clubs, pubs and streets of south London. The feud centred on the Old Kent Road area. One investigator said: "The basic motivation is territory. They like to think they are masters of their couple of hundred yards."

In 1988, a south London man was shot as he left home for work. In 1990 there were fights in a pub in Walworth Road linked to the Daly family. On one occasion, a gun was thrust into Peter Daly's mouth. A year later David Brindle was involved in another fight at the pub. One of the men who attacked him was Moody who had escaped from Brixton jail in 1980.

In March 1991, Ahmet "Abby" Abdullah, was killed in a south London betting shop by two men. A few months later, David Brindle was murdered in a public house one July weekend. An innocent bystander, Stan Silk, was also killed.

Daly was charged with attacking David Brindle four days before the shooting but the charges were later dropped. In May 1992, Tony and Patrick Brindle were cleared of killing Abdullah.

In November 1992 the manager of a south London public house was shot and killed; in June 1994, Moody, Michael McCormack, who ran an indexing company, and John Ogden, his manager, were shot in the head in October 1994 as they left a pub in Balham. Detectives concluded they died because Mr McCormack was mistaken for Daly.



Patrick Brindle, cleared of killing a man in a pub



Tony Brindle, who was wounded in the attack by Michael Boyle outside his home

Deadly game of cat and mouse as police stalked hired killer

BY OUR CRIME CORRESPONDENT

AN ELABORATE game of cat and mouse was played out on the south London streets as Michael Boyle stalked his victim for nearly two months watched by a team of nearly 80 undercover and firearms officers.

According to Boyle the plan was to "take out" several members of the Brindle family and their henchmen in a simultaneous attack. He

was recruited on behalf of Peter Daly, described in a court as a big-league criminal involved in drug trafficking. Boyle, who also worked as an informer, told Irish police that he was involved and even passed on details of a deal between Daly and George Mitchell. Boyle's boss in Dublin. The information led to the arrest in Luton of Daly and Mitchell, who had £560,000 in cash on them. No charges were brought. Boyle was told to pull out

of the assassination plan by police, but went ahead. In court it was said that Daly and Mitchell put pressure on him to get on with the killing to prove himself; they suspected someone had tipped off the police about the deal.

Boyle travelled to London six times between April and September 1995 to reconnoitre his target. The Irish police had alerted Scotland Yard and they watched Boyle make 110 visits to addresses linked to

Tony Brindle. On one visit to the house in Rotherhithe, southeast London, where Brindle lived with his girlfriend, armed police got ready to move in as Boyle walked close to the house and pulled something from under his coat. However, he began to film the house with a camcorder.

Boyle contacted his co-defendant, David Roads, 52, described by his counsel as "Ronnie Barker rather than Ronnie Kray". He became the

armourer. At a safe house provided by Roads in Lambeth, southeast London, police later found a high powered rifle and an assortment of firearms, quality walkie talkies, a post office uniform and quantities of explosive. More weapons were found in a lock-up belonging to Roads.

On September 20, 1995, Boyle was seen by police leaving a safe house in Camberwell in a Ford Transit van. The van had been

modified to allow one-way vision from the inside. He took with him a Magnum revolver and a Browning pistol, and disguised with a wig he drove to Brindle's house, followed by police.

In the back of the van was a bicycle and a can of petrol. Boyle planned to drive away, burn the van and cycle off into the London streets. But as he opened fire from inside the van the police moved in on him.

Rescuers fail to save girl from car in river

BY DAREK GREGORIAN

RESCUERS struggled in vain to save a 15-year-old schoolgirl who was trapped 10ft underwater after a car driven by her 17-year-old sister plunged into the River Ouse in Norfolk.

The crash happened on Sunday morning as Isabel Hopkins was driving her sister, Olivia, to a family gathering in Ely, Cambridgeshire. As they drove along the A10 at Brandon Creek, Norfolk, Isabel swerved to avoid an oncoming car.

She lost control and went down a steep embankment into the river. Isabel managed to get out of the car but Olivia was trapped in the passenger seat. Two policemen, a fireman and a passer-by dived repeatedly into river but managed to drag her clear only after she had been under water for almost an hour.

Teachers and friends at Gresham's School at Holt, Norfolk, were yesterday planning a memorial service. John Arkell, the headmaster, said Olivia as a very bright and popular girl and an outstanding hockey player.

Isabel was being comforted by her parents, who both work at the school.

Jury hears recording of stabbing victim's death

BY TIM JONES

A JURY listened yesterday to the screams of a wealthy Arab who recorded his own death as he was stabbed 26 times. Before the tape of Habib Saliba being killed was played at the Old Bailey, jury members were warned that nothing could prepare them for what they would hear.

Richard Horwell, for the prosecution, said: "This is not simply a dramatic piece of evidence, it is an extraordinary and distressing piece of evidence. No warning, nothing can prepare you sufficiently for the evidence prepared by the police."

As the screams echoed through the court room, Samantha Enoch, 20, who denies murder, sat weeping in the dock with her head in her hands. Ronald Tamplin, 27, who also denies murder, remained impassive as the jury, who were equipped with sound-enhancing headphones, listened to Mr Saliba pleading for his life.

Mr Horwell said that Mr Saliba, 47, a Syrian who was assistant vice-president of the Union Bank of Switzerland, lived in a flat in Fulham, west London, and met Ms Enoch when she was a street prostitute working in Park Lane. "For 2½ years he regularly



Saliba: he was stabbed 26 times in his flat

paid her for sex. In addition to the commercial status, he was very fond of her and concerned about her returning to live as a prostitute, especially as she had a young son."

However, Mr Horwell said, the relationship turned sour before the murder in June last year when Ms Enoch stole £300 from his cash box. Mr Saliba later discovered that his mother's diamond ring, valued at £8,000, and other jewellery had also been taken. "Samantha Enoch killed him for reasons of greed and out of a desire to have him silenced."

Mr Saliba had been in a position to press charges against Ms Enoch which could have resulted in her being sent to prison. Tamplin,

he said, was an old friend of hers and was protective towards her. "He assisted his friend in her hour of need."

Mr Saliba had intended to visit his mother in Syria and wanted to return the ring to her. But, Mr Horwell said, Ms Enoch had pawned the ring and then effectively sold it on to another client. He said she tried to recover the ring but her client told her he had sold it on. "That decision to lie to Enoch may have cost Habib Saliba his life."

Mr Horwell said Mr Saliba, a single man, had purchased a mini tape recorder in the hope of building up evidence against Ms Enoch. In one recorded telephone conversation, Mr Saliba was heard telling Ms Enoch that unless she gave him back the ring, he would hound her for the rest of her life.

Mr Horwell said that when Enoch and Tamplin, both of Clapham, south London, confronted Mr Saliba at his flat on the day he died, he had secreted the tape recorder in his room. When it was played in court the jury heard Mr Saliba screaming and shouting for the attack to stop.

A man is heard saying: "Where is my knife? The wallet. Let's go. Get the wallet. Take the cash."

The trial continues.

Thatcher adds regal note to her letters

BARONESS THATCHER has redesigned her notepaper, giving correspondents the vague impression that she is still the Government, or possibly even the Queen (Alan Hamilton writes).

The former Prime Minister's letters now bear the royal coat of arms with the words "Margaret Thatcher" underneath, as though it were her own rather than that of the Sovereign. Her address, and the fact that she is a member of the House of Lords, have been relegated to the bottom of the page.

Peers normally use the official notepaper of the Upper House, which carries the royal coat of arms and the prominent words "House of Lords" within an oval. Members of the Lords, even former Prime Ministers such as Lord Callaghan of Cardiff, then have their names printed or typed immediately underneath. Heraldic experts said yesterday that Lady Thatcher's version was unusual, but they



The notepaper: "recipient friendly"

have so far been unable to find that it breaks any rule.

Lady Thatcher's office said that the redesign was intended to make the letters more recipient-friendly. "We send out thousands of letters every year. Many of them abroad where she is still known as Margaret Thatcher; she feels she wants to be known as that," her spokesman

said, pointing wistfully to the masthead of *The Times*.

Previously the coat of arms on her letterhead was accompanied by the words "Margaret. The Lady Thatcher. OM. House of Lords. London SW1". Now the address is at the foot of the page with her title "The Rt Hon The Baroness Thatcher", an acceptable alternative.

Thomas Woodcock, Somerset Herald at the College of Arms, said the device used by Lady Thatcher was undoubtedly the royal coat of arms, widely used in government departments, law courts and other state institutions run in the Sovereign's name. "Lady Thatcher's personalising of the House of Lords device gives slightly the wrong impression," he said.

Buckingham Palace said that the choice of letterhead was a matter for Lady Thatcher and the House of Lords authorities.

Father told children that Bible allowed sex abuse

BY A STAFF REPORTER

THREE victims of sexual abuse by their father, a Jehovah's Witness, spoke yesterday about their years of anguish. Dennis Atwell, 58, who was jailed for eight years last week, had told them that the Bible allowed fathers to have sex with their children.

The children, who are now adults, waived their right to anonymity to encourage other victims of childhood sexual abuse to seek help.

Atwell, a preacher's assistant from Burnham-on-Sea, Somerset, began abusing his son and two daughters when the youngest was aged six. He told each child that they were the only one being abused and threatened to attack the others unless his victim kept quiet. The abuse went on for ten years. The truth emerged last September at a family party.

Kathy May, 35, successfully applied to the judge at Bristol Crown Court to have reporting restrictions lifted. Mrs May said: "If only we had known what was happening when we were younger, perhaps together we would have had the strength to tell someone about it. He took away everything from us — our personalities."

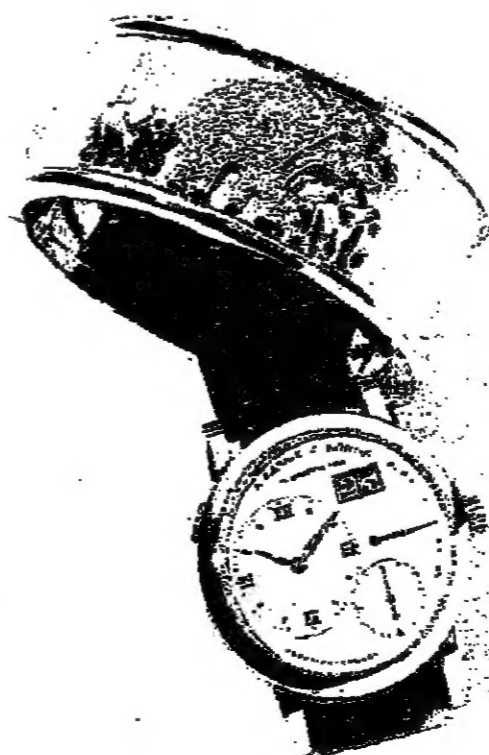
"We will never know the people we might have been if he hadn't abused us. He deserves everything he gets; I hope he rots in hell."

Annette Manlow, 29, was seven when her father began abusing her. "I kept asking Dad why he was doing this to me when we were taught in church that sex outside marriage was wrong," she said. "But Dad just twisted it around, saying that in the Bible Lot had sex with his daughters when his wife died, so it was allowed."

"Dad used to hang us by the feet over the stairwell if we refused to have sex with him. He used to make out it was all a joke."

Atwell, a minister's servant at the congregation of Jehovah's Witnesses, was sentenced at Bristol Crown Court after admitting 12 counts of indecent assault, indecency with a child and incest.

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Terrorists rule in jail blocks where staff fear to tread

BEHIND the imposing concrete walls and wire fences of the Maze prison, hundreds of IRA and loyalist terrorists enjoy astonishingly relaxed conditions which allow them to live as prisoners of war in all but name.

Cells are left unlocked 24 hours a day on each of the prison's eight H blocks and inmates are rarely troubled by prison officers. Alan Shannon, Director-General of the Northern Ireland Prison Service, admitted earlier this year that a lax regime was in force when he said that prisoners exercised "a considerable degree of control within their wings".

Life on H Block 7, from which IRA terrorists managed to dig a 40ft tunnel 7ft underground, is typical of the regime at the Maze's eight H blocks. The 95 IRA prisoners on H Block 7 have unlimited access to gyms, their own kitchens with microwave ovens, and eating areas with televisions and pool tables.

Each prisoner has his own

■ Ministers insist that Maze inmates do not have special status, but the regime is astonishingly relaxed, says Nicholas Watt

cell. Many can talk to the outside world on mobile telephones smuggled into the Maze by relatives or sympathisers. Most IRA terrorists on H7 have barely any contact with the seven prison officers nominally in charge of the block.

The officers sit behind two metal grilles in the cross-bar section linking the two legs of the block, which is known as the circle. The main contact between the two sides comes at mealtimes, when food is delivered to the blocks from the main prison kitchen. A prison officer opens the grille and pushes the food in a heated box over to the prisoners.

One prison source in Northern Ireland said that officers were supposed to make sure that nothing untoward hap-

pened on the blocks, but in practice they rarely walked down the wings because they would be beaten up.

Until the prisoners were dispersed around Maze yesterday, authority within H7 effectively rested with Patrick Wilson, the IRA's "officer commanding" on the block. Wilson, 37, from West Belfast, who was jailed for 24 years in 1993 for attempting to make a car booby-trap bomb, was in charge of drawing up duties for the prisoners and served as their contact with the prison officers.

Wilson, who is relatively unknown outside republican circles, had authority over some of the IRA's most notorious terrorists, who have recently been transferred to H7. They include Patrick Magee,

the Brighton bomber, and Thomas Quigley, who was given five life sentences in 1985 for mainland bombings.

The lax conditions at the Maze were gradually introduced after the 1981 hunger strikes, when ten republican prisoners starved themselves to death in a campaign to be treated as "prisoners of war". The hunger strikers, who were led by the late Bobby Sands, wanted the return of special-

category status which allowed terrorist prisoners in Northern Ireland in the early 1970s to wear their own clothes, avoid prison work and have freedom of association.

Margaret Thatcher's Government initially rejected the prisoners' demands and insisted that they were common criminals. However, by the mid 1980s, the prisoners' demands had been met, although ministers insist to this

day that prisoners do not enjoy special-category status and that the terrorists are treated as criminals.

The Government bowed to pressure from the IRA because of a fear of a return to the widespread disorder surrounding the hunger strikes, which turned Sinn Féin into a potent electoral force. Ministers admit privately that, if they confront prisoners, they risk inflaming the wider com-

munity. The new conditions applied to the four H-blocks housing republican prisoners and the four blocks which house loyalist inmates.

The relaxed regime came under fire in 1983 when 38 IRA inmates staged the biggest breakout in British prison history. A prison lorry was hijacked and one prison officer was killed. Fifteen terrorists were swiftly recaptured, a further four were picked up

within three days, but nineteen got away.

Gerry Kelly, the convicted IRA bomber who orchestrated the 1983 escape and who has since been released, was delighted with his colleagues for attempting to break out. Speaking in West Belfast yesterday, he said: "They are prisoners of war. It is their duty to escape from jail."

Leading article, page 19



Prison officers at the Maze rarely patrol the H blocks for fear of being beaten up. In practice the inmates run their own forms of discipline

IRA failed to dig as deep as the heroes of Colditz

By RICHARD FORD
HOME CORRESPONDENT

THE IRA terrorists who tried to tunnel out of the Maze were attempting to emulate the legendary exploits of Allied prisoners who escaped from Colditz during the Second World War.

But the IRA men failed in one crucial way: they did not dig deep enough through the gravel around H block 7, so their tunnel collapsed.

It is estimated that the IRA had been working on the tunnel for at least 14 weeks. When the French prisoners of war tunneled out of Colditz it took about six months to complete 120ft, though work was slowed by difficult geological formations. A 20ft tunnel excavated in 1940 by British PoWs at Laufen, a former archbishop's summer palace near Salzburg, took from July 14 to September 4 to complete.

Ken Lockwood, 85, secretary of the Colditz Assoc-



Colditz Castle: Allies' tunnel provided escape

ation, described how they made scoops out of disused food cans, "borrowed" tools from workmen coming into the camps and shored up the roof of the tunnel with slats from their beds.

"The French tunnel was lit by electricity harnessed from the German supply to the camp. They had a system of hauling the debris out of the tunnel using handmade trucks and rope pulleys," he said. The tunnel was even ventilated.

Earth removed from the tunnel was poured through gaps in the floorboards. Mr Lockwood said that the men doing the digging became very dirty but the start of the tunnel had been put next to the washroom, allowing the men to clean themselves quickly.

Although the IRA men clearly copied many of methods used by British prisoners of war, the men in Colditz had one advantage over those in the Maze. Pat Reid, the man behind tunnels at Laufen and Colditz, was a civil engineer.

The most famous tunnel escape was the Wooden Horse plot at Stalag Luft III. A team of prisoners vaulted over the improvised "horse" while three colleagues beneath it worked on the tunnel.

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Teachers taunted problem pupils as part of therapy

By JEREMY LAURANCE, HEALTH CORRESPONDENT

A SCHOOL for maladjusted children has been banned from using a system of taunting in an effort to help them to control their anger.

The "barb" technique, in which teachers verbally baited vulnerable children, was used at Springfield Special School in Calne, Wiltshire, to train those who had reacted violently to taunts to find a non-aggressive way of responding. Wiltshire County Council banned the practice on Friday after social services inspectors deemed it unacceptable.

One boy whose mother had died was taunted in an effort to help him to overcome his loss and prevent him from reacting violently when her death was mentioned. The technique was also used on a boy who had been subjected to racist racial abuse.

David Oakerson, a Labour councillor, said: "I am appalled that the use of this technique has been discovered in one of our schools. I can imagine that, if a parent did this to their child, it would not be well received by social services. The use of this so-called barb technique is exactly the kind of thing we are trying to stamp out. It's child abuse under another name."

The use of the technique came to light during a routine

social services inspection of the school, which has 43 pupils aged between 14 and 16. The inspectors said that relations between staff and pupils were good, but added: "The use of this technique in desensitising a child to discriminatory or prejudicial taunts is felt to be totally inappropriate."

The technique was considered by the council's education sub-committee, which demanded that it be banned.

Richard Nethercott, the head teacher, said the technique had been misunderstood. It had been used only five times since 1983, he said, on children who were especially sensitive to taunts. The aim was to help them to find ways of controlling their emotions and tempers.

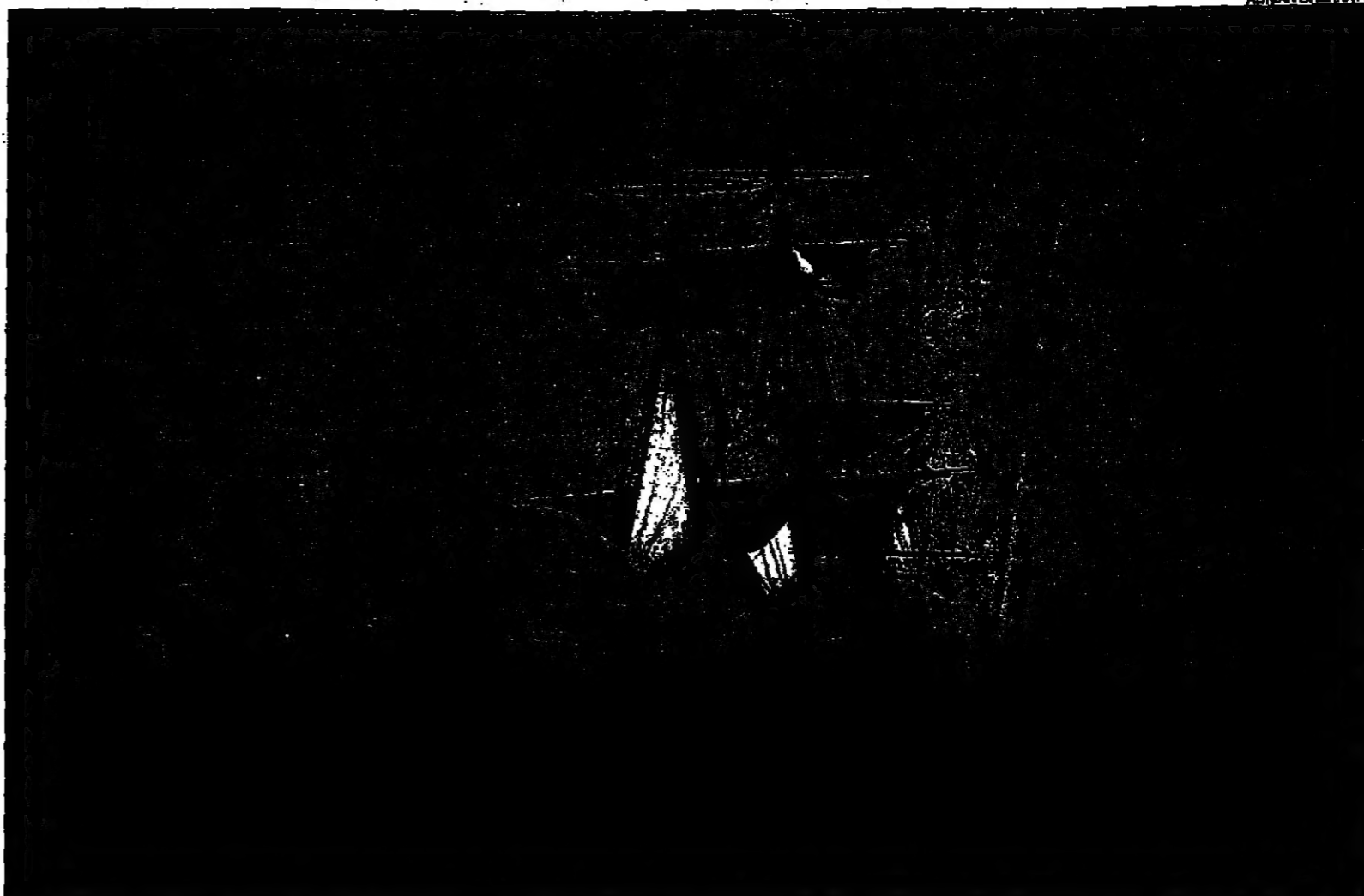
The children, many of whom had been expelled from normal schools for violent behaviour, were taught relaxation techniques to help them to cope with their anger. The "barbing" was done by a trusted teacher, away from other pupils and with the agreement of the child and his parents, as part of the training. The child was taught to turn away instead of lashing out, to avoid eye contact and control his breathing.

Mr Nethercott said: "We

have not done anything awful. The school has nothing to hide. On the few occasions we have used the technique we have found it to be enormously useful and beneficial to the children. Because of the row it has provoked it has been suspended, but I will attempt to persuade [the council] of its good sense."

A spokesman for the council said: "The social services inspectors were worried that the issue of bullying was being ignored and the victims were being trained to put up with it. But bullying was not being ignored. These were children who had very troubled pasts and been expelled many times. It was not a case of victims being told to put up and shut up."

The boarding school, which is set in 20 acres, has up to 60 pupils - most from within the county - at a cost of £17,000 a year each. The average admission age is 14½.



A full-sized replica of Captain Cook's *Endeavour* arriving in Gravesend yesterday, before sailing up the Thames today to Tower Bridge. She will be moored there for two days before moving to Greenwich, where she will be open to the public from March 28 to April 13. She will then tour 14 ports in Britain. An exhibition entitled *Cook and the Endeavour* is open at the National Maritime Museum until September 28

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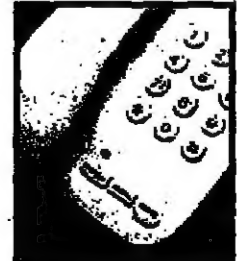
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State cuts support for special school over crime claim

By JOHN O'LEARY, EDUCATION EDITOR

A PRIVATE school for children with disciplinary problems, which was the subject of a damning report by inspectors last month, has had its government approval withdrawn amid allegations of criminal activities by pupils.

Bradfield House School, at Cullinstown, Devon, has been inspected by three organisations in recent weeks. The original report, by the Office for Standards in Education, said foul and abusive language was common in lessons and bullying was rife.

Rodney Wharton, the school's managing director, initially refused to publish the report or produce an action plan to tackle the alleged failings. He lodged a personal appeal against the findings and said yesterday that he still did not accept the criticisms.

Bradfield House, where fees are £40,000 a year, has 28 children with special educational needs, aged between 11 and 16, who have been sent to the school by education authorities across the country. In future any local authority wanting to place a child at the school will need approval from the Education Secretary.

Ofted's inspection, came after a visit from Devon social services in January, which

was triggered by complaints from the public. Since then officials from the Department for Education and Employment have been to the school and the county's social services department has made a return visit.

A DfEE spokesman said yesterday: "We are aware of allegations of child protection incidents and alleged criminal activities on the part of pupils at the school." The Devon and Cornwall Constabulary said that an investigation was under way.

But Mr Wharton questioned the DfEE inspection, saying: "They said they put some inspectors in a couple of weeks ago, but in fact they did not. Four gentlemen arrived to help us with our action plan. They did not inspect the school in any way. They had a chat to a few people and a quick walk round. You could not say that was an inspection."

Mr Wharton added: "Despite requests, we have not yet been told the specific grounds on which this letter has been sent. We believe the decision is based on information which is in some respects out of date and in other respects mistaken and wrong. We have a dedicated and committed staff and good premises."

Mother of boy in gay fostering row ignored meetings

By EMMA WILKINS

A MOTHER who criticised a local authority for placing her 11-year-old son with homosexual foster parents has failed to attend any meetings with social workers to decide his future. It emerged yesterday. The boy, who cannot be named, was put into care by his mother two years ago because she could not cope with his behaviour.

She failed to attend a case meeting two weeks ago at which social workers from Southwark council in south London decided to place the boy with a homosexual couple who have been fostering children for six years. The boy, who has visited them and wants to take up the placement, is currently living with foster parents in Kent.

A spokeswoman for the council said yesterday that social workers had been inviting the boy's mother and grandmother to attend meetings about his future since Christmas. The grandmother had attended one, the mother none.

The women told a national newspaper that they were worried that the boy

would become confused by having homosexuals as foster parents. "This is political correctness gone mad," she said. "The council has run a steamroller through my wishes and those of the foster parents."

"I'm not homophobic, but my son is the kind of the boy who likes to hold hands and kiss people. I wouldn't feel happy if two men were giving him these sort of cuddles. I think he'd get confused."

The boy was due to begin living with the couple at the end of this week to be nearer to his natural family. The move has been postponed while council officials try to arrange another meeting with his mother.

Dennis Simpson, director of social services, said the couple had an excellent record of working with children and young people with needs similar to those of the boy in question. "Whilst the natural parents have not participated, we have made every attempt to work with them and meet their needs throughout the planning stages."

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TIMES 25/3

£5,750 to master pasta

By Robin Young

A SCIENTIST has been given £5,750 to discover why some pasta goes sticky. In the interest of research, Gordon Wiseman, 43, will spend seven weeks abroad eating as much pasta as he can.

Dr Wiseman has been granted a Winston Churchill travelling fellowship for projects likely to benefit the public. He hopes to discover ways in which short, fat durum can be reliably differentiated from the softer, plump wheats used in breadmaking.

Dr Wiseman, who works for Ranks Hovis McDougall in High Wycombe, Buckinghamshire, said yesterday: "Few people can distinguish pasta made with cheap grain, except maybe Italians. But everyone notices when their pasta is sticky. Supermarkets face prosecution if anything they sell as 100 per cent durum is not." He has calculated that adulteration with bread wheat could save pasta producers £80 a tonne.

It's whisky no more for Manx distiller

By Daniel McGrory

THE Isle of Man distillery that produces clear "whisky" was told yesterday that it could no longer call it that.

Making his ruling in the High Court, Mr Justice Raftery conceded that he had indulged in a nip of Glen Kella and was mindful that experts had said it tasted like "very good whisky". However, it was not his palate that decided the issue, but the evidence.

Glen Kella comes from casks of Scotch whisky which are distilled at a family-run plant in Solby to remove the distinctive amber coloration. The judge said he was very conscious of the evidence from an experienced taster. "However, whether it tastes like whisky is not the point, any more than whether it looks like whisky, which it certainly does not." He said the essential point was that, for it to be called whisky, it must have been matured after distillation for at least three years, and this spirit had not.

Andrew Dixon, managing



Andrew Dixon with a sample of his product: "I can't understand the judgment"

director of the Glen Kella distillery, said: "This is enough to turn you to drink. I regard the judgment as a defeat for the small man who is doing no harm."

Although he gave an undertaking that Glen Kella would not be labelled as whisky in the United Kingdom, he insisted that his brew would not disappear from the shelves. He was already considering new names.

The action against the island distillery was brought by

two drinks companies, United Distillers and Allied Domecq, and the Scotch Whisky Association. Both sides agreed that the court should rule after Easter on whether the injunction should be widened to include all European Union countries.

The Scotch Whisky Association welcomed the verdict. A spokesman said it was vital "that the integrity of the description 'whisky' should be preserved as an essential element in protecting the

description 'Scotch whisky'."

Mr Dixon, who was in court with his only employee, Bob Taylor, said he was considering an appeal but had to hear in mind the cost. His distillery sells only 50,000 bottles a year, mainly to tourists in the Isle of Man and for export to the Far East.

All the regulatory bodies had approved the drink, he said. "I can't understand this judgment. Our drink has been matured because its base product has been matured."

Fruit and veg can save 30,000 lives a year, say doctors

By Jeremy Laurance, Health Correspondent

MORE than 30,000 lives could be saved each year if everyone in Britain ate at least five portions of fruit and vegetables a day, heart specialists said yesterday. They emphasised that vitamin pills were not an adequate substitute for eating greens.

The average daily consumption of fruit and vegetables is currently three servings a day. International evidence suggests that a rise to five servings a day would cut heart disease deaths by at least 20 per cent, from 150,000 to 120,000 a year. The number of heart disease deaths in Greece, where nine and a half servings a day is average, is less than half the current British figure.

A serving is 80 grams (2.8 ounces). Frozen, canned or processed products are acceptable as well as fresh. The National Heart Forum, an umbrella group of medical organisations, emphasised that diet supplements were not an

adequate replacement for a good diet.

Scientific research suggested that it was the vitamins in fruit and vegetables that provided their protective effect. Their antioxidant properties neutralised the harmful free radicals circulating in the blood, preventing fatty deposits on artery walls.

Big studies of vitamin pills, conducted in several countries, had failed to show a protective effect against heart disease, the forum said. Studies of vitamin A supplements suggested that they might increase the risk of heart disease and lung cancer, especially among smokers.

Professor Desmond Julian, chairman of the forum, said: "However easy it may be to take vitamin pills to supplement the diet or cut corners in busy lives, we should avoid the temptation to do so. The vital health-giving properties of fruit and vegetables will not be found in vitamin pills alone."

Ingen Sharp, director of the forum, said: "The solution lies in the fruit bowl and the vegetable rack, not the medicine cabinet. Any type is OK: it can be frozen, turned, dried or cooked." Although processing and cooking reduced the vitamin content of food, the goodness was not destroyed.

In Mediterranean countries, olive oil and red wine

add to the health-giving effects of fruit and vegetables. The red wine factor could account for France having the lowest heart-disease death rate in Europe, despite only average consumption of fruit and vegetables.

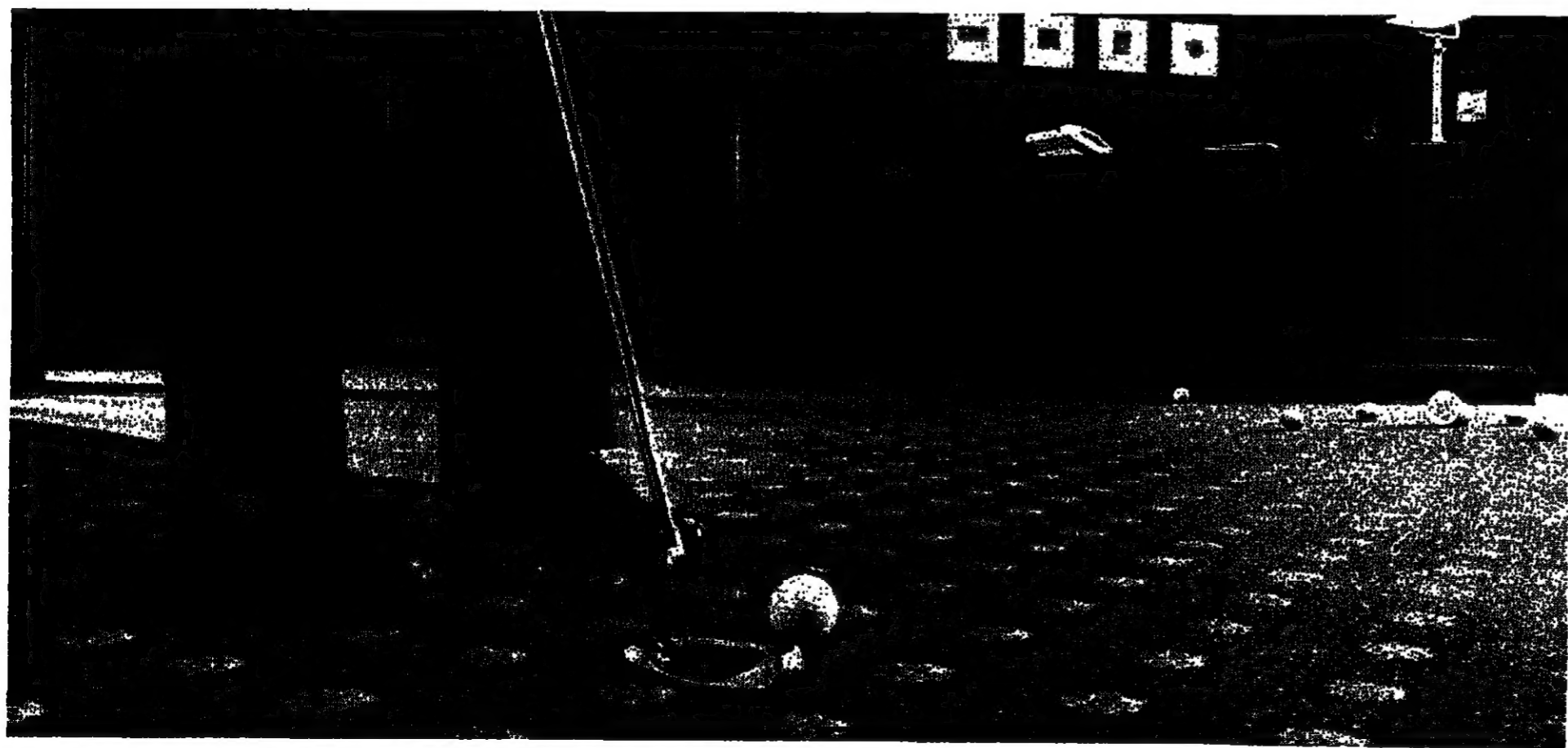
Professor Michael Marmot, a cardiovascular epidemiologist at University College London, said the study scientists had been puzzled by the vitamin supplements' lack of effect on heart-disease rates. He said the trials might not have lasted long enough, the antioxidants examined might not have been the ones that provided the protection, or vitamins given as supplements might have different biological effects from those taken as part of the diet.

He said, however, that the benefits of increasing fruit and vegetable consumption to five servings a day were well established. "Other things being equal, our estimate would be of the order of a 20 to 30 per cent reduction in heart-disease mortality."

The benefits of the diet change should be apparent within five years, Professor Marmot said. The forum has urged the Government to launch a five-year campaign, costing £25 million, to persuade people to eat more fruit and vegetables.

Letters, page 19

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MEDICAL BRIEFING

CARDIOLOGISTS and experts in nutrition are agreed that there is overwhelming evidence that a diet rich in fresh fruit and vegetables offers a defence against heart disease.

Although the beneficial link between these foods, together with red wine, and the incidence of coronary heart disease is proven, there is as yet little proof that taking vitamin supplements will provide additional protection for someone whose tissue levels of the antioxidant vitamins is consistent with a liberal intake of these foods.

Professor Brian Pentecost, medical director of the British Heart Foundation, said: "There is hard evidence from research at Cambridge that vitamin E supplements significantly reduce the incidents of coronary thrombosis but, disappointingly, there is not a similar significant reduction in the death rate."

It can be demonstrated that additional folic acid reduces levels of homocysteine (a sulphur-containing amino acid); high homocysteine levels are associated with coronary heart disease. As yet, however, there is no research data showing that folic acid supplements actually reduce the number of heart attacks.

Most of the benefits to cardiovascular health attributed to eating fresh fruit and vegetable and drinking red wine have been ascribed to the high level of folic acid, vitamins E, C and beta carotene in these foods. Research on the effect of supplements of these vitamins is as yet inconclusive. Most vegetables contain large numbers of different organic chemicals of the carotenoid type and finding the one which is beneficial may prove difficult. Hence the need to take the natural substance.

Sue Southon, a research scientist at the Institute of Food Research at Norwich, has no doubts that a diet laden with carotenoids and

other flavonoids, including those found in red wine, onions and garlic, is health-giving. She thinks there might be an optimal level for antioxidant vitamins, and that the maximum benefit might be achieved when these levels are in line with those obtained from a diet rich in antioxidants.

It is possible that saturating the tissues beyond this point by taking antioxidant supplements in pill form might become counter-productive, but there are no studies to show this. Nor is there any research to show the effect of supplements on those who protest at eating their greens, and so otherwise would have had low tissue levels of antioxidant vitamins.

Dr Southon has at last persuaded her five-year-old to eat vegetables. "It's been a struggle, but I know that two carrots a day will do her good — whereas we will have to wait and see what effect, if any, vitamin supplements would have on the health of the hearts of the nation. Research just hasn't yet been done."

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Judge dismisses environmentalists' challenge

High Court clears way for quarrying in public park

By FRANCES GIBB, LEGAL CORRESPONDENT

A 20-ACRE meadow that is home to the rare green winged and pyramidal orchids may be ploughed up after campaigners failed yesterday to halt plans for quarrying in a protected public parkland.

A High Court judge ruled that two local residents — both members of Bristol Friends of the Earth — did not have the legal standing to challenge the plans for Ashton Court, near Bristol. The residents had also delayed too long before taking legal action, the judge said.

His decision opens the way for the controversial extension of Durnford Quarry on the Ashton Court estate, which lies along the Avon gorge near Clifton suspension bridge. The extension will involve the "translocation" of the 20-acre Top Park Field, home to several endangered wildflowers.

Durnford Quarry already covers 64 acres of the Ashton Court estate, which has been public parkland since 1959 and is registered as of special

historic interest by English Heritage. Top Park Field is recognised as a wildflower habitat of regional importance.

The house and estate are owned and operated by Bristol City Council, but they fall within the boundaries of North Somerset council.

Yesterday Mr Justice Popplewell refused Amanda Garnett, 25, and Chris Piersene, 24, permission to seek judicial review of North Somerset's decision to grant Pioneer Aggregates (UK) permission to extend Durnford quarry to Top Park Field. He said: "I have concluded that the two applicants don't have sufficient interest to bring these proceedings and they have not acted promptly."

The judge added that, although he thought he would give leave on the merits of the application, he thought the prospect of the applicants succeeding was "fairly slim". John Barrett, for the two applicants, asked for leave to

appeal, saying the case had raised an important matter. The judge refused.

Giving judgment, he said that Top Park Field included a wildflower meadow which it was proposed to move, or "translocate", to another field outside the park. The area comprised natural grassland containing many uncommon species and a grassland community of regional importance. It was protected under the Avon county structure plan and the planning application included restoration of the entire quarry complex once it had been worked out, the judge said.

Local environmental campaigners regard the proposals to move the field as a smokescreen and say that the meadow is doomed forever if the quarry plan goes ahead.

Andrew Gilbart, QC, for Ms Garnett and Mr Piersene, had attacked the planning committee's decision as flying in the face of local and nation-

al environmental protection policies and said that it was based on inadequate inquiry into environmental impact.

Ms Garnett said yesterday: "The court is saying that two people who live in the area and use the park cannot have locus standi [the right to bring an action]... It is like the people of Bristol's opinion doesn't count. If we don't have locus, I don't know who can have."

Ms Garnett added that plans to move the meadow, which had a rare mix of wildflowers and grasses, were ludicrous as the proposed new site was high in nutrients and unsuited to the unique ecosystem of the meadow.

The proposals, which meant extending the 64-acre quarry by a further 20 acres, had been opposed by local MPs and North Somerset councillors, and 22,000 people had signed a petition, she added.

Libby Purves, page 18



Alan Suddes, who helped to reintroduce the flower

Extinct British violet returns to its roots

By DAMIAN WHITWORTH

A VIOLET that was believed to have been wiped out in Britain decades ago has been reintroduced by the descendants of an émigré who kept the bloom alive in Canada.

Robert Robson and his wife, Hannah, left for Canada in 1820, taking cuttings of the pretty, strong-scented, double-headed violet from their garden at Piercebridge, Co Durham. But while the flower flourished on their Toronto farm, the plant was thought to have died out in Britain.

Now the decision by one of the Robson's descendants to trace his roots has led to the reintroduction of the flower. Balfour Le Gresley, great-great-grandson of the emigrating Robsons, wrote from Toronto to the Darlington Museum requesting information about his family and mentioning that his forebear had planted seedlings of the violet when he arrived in Canada.

Alan Suddes, the museum's curator, contacted the International Violet Association, which confirmed that the bloom was extinct in Britain. Mr Le Gresley sent cuttings over and the flower is flourishing again at the Dor-



Back in Britain: the double-headed violet

set home of Clive Groves, vice-president of the International Violet Association. Yesterday specimens were taken for planting at Durham University and it is planned to reintroduce the flower to Piercebridge.

"The violets probably died out in the wild, because of sulphur in the air during the Industrial Revolution," Mr Groves said. "Then during the war, with 'Dig for Victory', what few remained in flower beds will have been replaced with vegetable plots."

The flower is known to be a member of the sweet violet family, but experts have been unable to trace whether it was given a species name. If not, it is likely to be named the *Viola odorata* Le Gresley.

Police fear move towards violence at airport protest

By IAN MURRAY

VIOLENT troublemakers are infiltrating the camps of peaceful environmental protesters trying to stop construction of a new runway at Manchester Airport, according to police. They are believed to include campaigners against the Newbury and Honiton bypasses and from the anti-nuclear camp at Faslane, near Glasgow.

"In the past week we have seen a new aggressive element creeping into the camps and this is taking the whole protest on to a different plateau," Superintendent Kevin Hart, who runs the police unit at the airport, said yesterday.

Three officers needed hospital treatment when they were ambushed as they tried to help security guards to protect the fence around the site on Sunday night. "They were attacked by a group of about 25 who kicked and stamped on them in a deliberate attempt to break limbs," Mr Hart said. "These officers were badly beaten and would have had far worse injuries if they had not been wearing protective clothing."

Police reinforcements were sent to the scene and a running battle began in the darkness, which lasted for an hour and a half. Three of the protesters were also hurt and the windscreen and headlights of a police Land Rover were smashed with a pickaxe handle. One protester, a man from Dumbarton, was arrested.

"An officer was headbuted

and had his nose broken," Mr Hart said. "While he was being taken into an ambulance they set a large dog on him, who bit him and drew blood. This no longer a gentle protest movement."

He said that in the past, when protesters had made nightly attacks on the fence, they had always dispersed when police arrived. "That seems to have changed. What we are facing now is thuggery by a number of people who scrounge money from well-wishers to buy drink and then become violent."

"The original protesters were genuine, peaceful people with a real point to make and I respect that. I feel sorry for them now that these violent people have arrived. If they honestly believe in non-violent action, I hope they will do their utmost to get rid of them. As long as these thugs are here we cannot trust the protesters and we will not be able to leave our officers unsupported."

A spokeswoman for the protesters, who gave her name only as Melanie, said: "We will be holding our own inquiry and if we find that any protesters have been involved in unprovoked violence we'll kick them out of the camps. It could be there are infiltrators, but three of our people were injured. We'll want to know if they were provoked. We cannot condone violence. We are peaceful protesters and this sort of behaviour does our cause no good."

Public to have run of Greenham Common

GREENHAM Common, site of a stand-off between the US Air Force and anti-nuclear protesters in the 1980s, is to be reopened to the public. The 840-acre site has been bought by a trust for £7 million and, after underground cables and fuel tanks have been removed, will be managed as heathland by Newbury District Council.

Work on digging up the runways is well advanced, with the rubble used as hard

core for the Newbury bypass. Spoil from the bypass construction site has been tipped at the common to fill in the holes that are left.

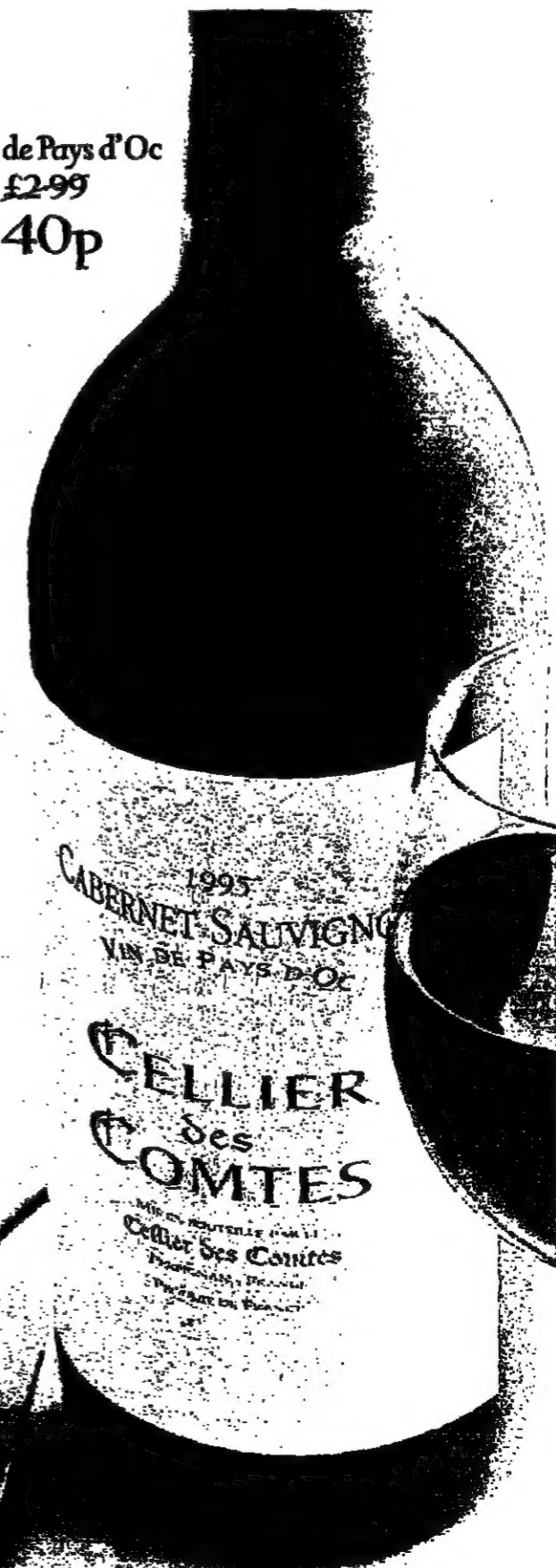
Money for renovation and management of the common will come from the business park developed in the buildings of the former air base.

A peace camp grew up outside the base in protest at cruise missiles, which were deployed at the Berkshire site from 1983 to 1992.

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Ex-minister backs change of heart on gays in Forces

By MICHAEL EVANS, DEFENCE CORRESPONDENT

A FORMER defence minister and a former Chief of Defence Staff yesterday welcomed the Army's decision to review its code of moral conduct, which would effectively remove the ban on homosexuals and relax the strict attitude towards adultery.

Although the Government remains adamant that the ban on homosexuality in the Armed Forces will not be lifted, proposals for a revised code, if approved by the army board and ministers, would remove discrimination on the grounds of a person's sexual orientation.

Sir Archie Hamilton, a former Armed Forces Minister, said he did not think it was right for the military police to "hound" people just because they were suspected of being homosexual. He said there should be no action taken against homosexuals who maintained "entirely private" relationships.

The problem, he said, was

when the homosexuality was overt and visible. Even if there was a change in attitude in the Army, he did not believe it would be possible for homosexuals to declare themselves openly. Sir Archie said: "If a soldier in The Parachute Regiment declared he was homosexual, there would be a serious risk of him being beaten up. So I think there would have to be a degree of hypocrisy, with serving soldiers who are homosexual keeping quiet about it."

The Army's review of its discipline and standards guidelines is in its early stages and is not due to be completed until later this year. The guidelines cover every aspect of military conduct, including drunkenness, drug misuse, dishonesty, indebtedness, bullying, and racial and sexual discrimination.

Field Marshal Lord Carver, Chief of Defence Staff from 1973 to 1976, said it was sensible for the Army to

review its code of conduct because it was no longer tenable to "throw people out" for certain sexual behaviour.

He said not every form of sexual activity could be described as subversive or damaging to good order. "In the Army it's already the case that you can't run off with the wife of the commanding officer of your own regiment, but nobody gives a damn if you run off with the wife of the commanding officer of another regiment."

However, the determination of the Royal Navy to fight any change of attitude towards homosexuality was given full support yesterday by Admiral of the Fleet Lord Hill-Norton, Chief of the Defence Staff from 1971 to 1974. He supported the stance taken by Admiral Sir Jock Slater, Chief of Naval Staff and First Sea Lord, who has made it clear that any lifting of the ban on homosexuality would undermine morale in the Navy.



Lady Olga Maitland made a parachute jump during her fact-finding mission



Miller and Luff see the world through the Navy's eyes

Fact-finding MPs sink to new depths

By EMMA WILKINS

TWO MPs joined a sinking ship as part of a fact-finding mission to learn more about the Armed Forces.

Peter Luff (C) and Andrew Miller (Lab) splashed about in a tank designed to simulate the effects of a frigate being hit by a torpedo. The two, part of a group of eight MPs filmed by the BBC, were given the task of hammering plates over holes in the sides but failed to stem the flow.

Other MPs jumped out of aircraft — Lady Olga Maitland required a push — and tackled assault courses. The resulting documentary, *Politicians on Parade*, will be

shown on BBC2 this Thursday and next.

Gerry Steinberg (Lab) and Piers Merchant (C) were locked in an RAF decompression chamber to show the effects of starving the brain of oxygen. They were asked to do simple sums, play noughts and crosses and name the members of the Cabinet.

"It was quite embarrassing," Mr Merchant said. "I knew Michael Portillo was in the Cabinet but I couldn't remember which ministry. Unfortunately it's the Ministry of Defence." Mr Steinberg could not remember the Prime Minister's name.

Defence ministry wins reprieve over race record

By MICHAEL EVANS, DEFENCE CORRESPONDENT

THE Ministry of Defence has avoided an official accusation of corporate racial discrimination after a year of monitoring by the Commission for Racial Equality.

In a statement tomorrow, the commission is expected to lift the threat of a formal non-discrimination notice under the Race Relations Act. However, to escape future action by the commission, the ministry will be expected to show a marked improvement over the next four years in promoting career opportunities for blacks and Asians in the three Armed Services.

The statement follows last week's damning report by the Office for Public Management, a private consultancy, which highlighted racial discrimination in Services. The Royal Navy was accused of tolerating institutionalised racism.

The commission was ready to serve a non-discrimination notice on the ministry a year ago after investigating allegations of racial discrimination in the Household Cavalry. However, it agreed to a five-year action plan under which the ministry was given 12 months to introduce a number of initial measures to improve

training, education and recruiting practices.

If the commission had gone ahead with its non-discrimination notice, officials would have had the power under the Race Relations Act to intervene, whenever they felt it necessary, to order the ministry to take action to stop racial inequality.

The Navy in particular, after last week's critical report, has been anxious to demonstrate the changes it has been making over the past 12 months to improve its reputation as an equal opportunities employer. Navy sources said that training now included a separate equal opportunities "module" so that all naval personnel received the same message that discrimination of any kind was prohibited.

However, the Navy admits it faces a challenge in trying to boost recruiting among ethnic minorities. The latest figures supplied to the commission this week show that only 0.8 per cent of naval personnel are black or Asian.

A number of army regiments have come forward to show that their recruiting methods have led to a significant influx of black and Asian soldiers.

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Communist realists backing Labour till the revolution comes

WHEN Mike Hicks, general secretary of the Communist Party of Britain, launched his party's manifesto in London yesterday with the prediction, "We don't see ourselves winning," you could have heard a pin drop — not because we were all wrong-footed by this, but because there were so few of us we could even hear each other breathe when we concentrated hard.

We knew that Communism was a cosy brotherhood, but we never realised just how cosy. Unusually for manifesto launches, every one of the party's candidates attended the meeting at Westminster's Central Hall. All three of them. It was the closest any of them is likely to get to the House of Commons.

Facing them were just six journalists, who had spread themselves out over the rows of empty seats. The Communists' looks like being a low-key campaign.

Will Mr Hicks be demand-

■ The collapse of capitalism is certain, Joe Joseph learnt at the launch of the communist manifesto, but there may be a long wait

ing a prominent berth at the proposed television debate between party leaders, as Paddy Ashdown was? "No, we're realists."

And as for any surprise, last-minute endorsement for his party by, say, *The Daily Telegraph* or *The Express*, not only does Mr Hicks not expect such an improbable turnaround, the very idea of a capitalist blessing makes him queasy. As far as he is concerned, the only thing that is very likely in politics — indeed certain — is the collapse of capitalism. When?

"I can't tell you how quickly. But what he will say is that when things change, they change very quickly. Revolutionary change will happen."

While we are waiting for it,

he would rather Labour won the election than the Tories, even though "our policies are distinct from the Labour Party's in many ways". So has Tony Blair signalled his gratitude for this support?

"Er, I don't think Tony Blair will be signalling his gratitude."

With only 1,200 members, just three candidates — in Poyrydd (Rob Griffiths), Hackney South and Shore-ditch (Monty Goldman) and in Newcastle East and Wallsend (Martin Levy) — and only £10,000 in its election fund, is it perhaps time that the Communist Party softened its stance in a Blairite move to improve its electability? No, because if you do that "you end up where Blair ended up."



Gang of three: the party's only candidates, from left, Rob Griffiths, Monty Goldman and Martin Levy

Some people say there is barely an inch between the Labour and Tory parties.

So why back Blair? Because "that inch'll do us," he says, with no hint of any Mae West undertone. "If it was a choice between Hitler and Thatcher we'd support Thatcher. You have to respond to the history

of the times you live in."

Like Labour, the Communist Party of Britain's manifesto supports a national minimum wage and a windfall tax on privatised utilities. But, unlike Labour, it also wants Britain to leave the EU, wants to restore a fully funded comprehensive education sys-

tem controlled by local councils, and thinks that income tax should be 50 per cent for those earning over £50,000.

So can he see a Communist in 10 Downing St one day? Mr Hicks doesn't say yes, but he doesn't say no, either. "Change is the most constant thing in life," he purrs myster-

iously, adding: "The crisis of capitalism will speed up."

Anything else before we go? "The struggle for socialism will not end with the general election. The struggle for socialism will, in fact, intensify." Well, you can probably say that again, Mr Hicks — whichever party gets in.

Redwood stirs Tory disunity on euro

By Philip Webster

JOHN REDWOOD will move the European Union into the centre of the election debate tomorrow when he publishes a book saying that a single currency would be a decisive step towards "a country called Europe, ruled from Brussels and Frankfurt".

The former leadership contender is expected to reopen the debate within the Tory party with his 214-page attack on monetary union, which says that for most British businesses it would be all cost and no benefit. "Abolish the pound and you abolish Britain," the book states.

As *The Times* disclosed yesterday, Mr Redwood has responded to an appeal from Alastair Goodlad, the Government Chief Whip, to call off a press conference tomorrow. However, he has rebuffed a plea to "pull" the book, *Our Currency, Our Country — the Dangers of European Monetary Union*, saying that it was already on its way to the shops.

Read all about it: part of Mohamed Al Fayed's advert

Sleaze book put on special offer

By James Landale, Political Reporter

MOHAMED Al Fayed has launched an attempt to counter moves by the Tory MP Neil Hamilton to block sales of a book about the cash-for-questions affair.

The Harrods chairman, who allegedly paid Mr Hamilton thousands of pounds to ask parliamentary questions, placed an advertisement yesterday urging the MP's constituents to read the book.

"Mr Hamilton has threatened legal action against bookshops in his constituency, Tatton in Cheshire, if they stock the book," he says. "The book, written by two journalists from *The Guardian* and *The Observer*, contains defamatory claims about him."

The full-page advertisement in the *Manchester Evening News*, costing £5,000, had an open letter from Mr Al Fayed to Mr Hamilton's constituents. It said: "Because of threats from Mr Hamilton's lawyers, some bookshops have decided not to stock this book. I believe it is a book that everyone has a right to read

and therefore I have ensured that stocks of it are available at the Harrods bookshop."

After giving details of how to obtain the book, Mr Al Fayed concluded: "However powerful an MP may believe himself to be, he has no right to prevent other people reading a book published in the public interest by a reputable publishing house. Why should Mr Hamilton fear the facts? Read *Sleaze* and find out."

A spokesman for Mr Al Fayed said the Egyptian-born businessman was "very gently" saying to the people of Tatton: "Read this book: make your own mind up."

Mr Hamilton, who has denied taking cash for questions, said the advertisement made clear the close links between Mr Al Fayed, the book and Guardian Media Group, which owns the *Manchester Evening News*.

The MP urged constituents to read instead an article he was writing for a local newspaper in which he would explain his actions.

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ENGLISH HERITAGE



Reform of our muddled electoral framework is long overdue

British elections are still conducted on Victorian terms. Their legal framework dates back more than a century when less than a quarter of adults had the vote and almost all campaigning was local. This alternately puzzles and delights foreigners. Last week, Sir John Kerr, Britain's Ambassador in Washington, hosted a St Patrick's Day lunch when Michael Ancram, the Northern Ireland Minister, explained that his campaign in Devizes could not spend more than the equivalent of \$14,000 (just over £9,000), and that he could not buy television time or advertise his candidacy on tele-

vision. Mary McGrory, a veteran Washington Post columnist, reported the "open-mouthed" response of American journalists accustomed to Senate contests costing several million dollars. She concluded that the British way is better. She is right but the British system is still flawed.

British elections are still relatively cheap. Less is likely to be spent here over the next six weeks than in California or Texas when there are several statewide contests. Our campaigns are much cheaper in real terms than before the introduction of the secret ballot in 1872. The amounts involved in the cash-for-questions

RIDDELL ON POLITICS

row are trivial by comparison with what various Chinese interests are alleged to have funnelled into the Clinton campaign. But our election laws mainly derive from days when campaigns were almost entirely local. There was virtually no national campaigning apart from occasional rallies addressed by the great men of the day. Financial limits apply only to local candidates and the law does not recognise the existence of national parties. So there are no restrictions on the activities

of national parties. The boundaries between national and local spending have been fuzzy and decided on a case-by-case basis. This is typical of the piecemeal way in which elections are regulated in Britain which satisfies few. Many MPs of all parties were unhappy with inconsistencies in the way the boundary reviews were undertaken, and all but the Tories are unhappy about the financial controls.

Electoral law should be reviewed to put local and national campaigns on a similar basis and to take account of the ingenuity of the parties. This should be underpinned by the creation of an

electoral commission, as was recommended in 1991 by a Hansard Society report. A detailed plan is being published this week by the Constitution Unit, the highly respected research project on constitutional reform.

The unit suggests that a commission should supervise the administration and conduct of elections and referendums; encourage improved standards and recommend changes to electoral law; supervise any restrictions on election expenditure and funding; take over the work of the Boundary Commissions; and oversee any formal arrangements for allocating broadcasting time — func-

tions now undertaken by a variety of bodies. The new commission should have the power to investigate complaints about electoral malpractice. Commissioners would be appointed after consultation between the parties and would be accountable to a Commons committee rather than to a Whitehall department.

Such a commission would become even more necessary if a Blair government goes ahead with its ambitious constitutional reform proposals — if referendums become a regular part of British politics and/or the voting system is changed. The case for an electoral commission is part of a

wider debate about the need for constitutional watchdogs (put in a separate briefing paper by the Constitution Unit) to monitor elections, open government, judicial appointments, human rights and the like. The Public Service Committee yesterday put in a bid to act as the parliamentary focus for issues of governance and political accountability, in effect as a committee on the constitution. We are all going to have got used to considering constitutional matters in a more formal and less piecemeal way. Muddling along is no longer enough.

PETER RIDDELL

Blunkett proposes testbed schools to train teachers

By JOHN O'LEARY, EDUCATION EDITOR

LABOUR will today announce plans for a network of "laboratory schools" so that teachers can see their lecturers' ideas put into practice in the educational equivalent of teaching hospitals.

David Blunkett, the Shadow Education Secretary, will outline his blueprint for a reform of teacher training at the Association of Teachers and Lecturers conference in Cardiff. The scheme will include a new training curriculum and an "induction year" for newly qualified teachers.

The proposals, which aim to loosen the grip of progressive teaching philosophy in training colleges, mark the start of an Easter offensive on education by Labour. Mr Blunkett will address two teaching union conferences in the next week, while Gillian Shepherd, the Education Secretary, has pulled out of both, pleading diary commitments.

Both main parties have identified training as the key to raising standards. Mr Blunkett will bring together several initiatives put forward in the last year, including the use of National Lottery funds to train teachers in information technology, and compulsory training for head teachers. But the centrepiece of Labour's plans will be the adaptation of a scheme already operating successfully in the United States. Some 120 uni-

versities there have their own schools, and some are branching out into partnerships with others in their locality.

Mr Blunkett will tell the ATL's conference that laboratory schools running in partnership with universities in Indiana and Pennsylvania should be the model for a British scheme. Trainee teachers visit the schools regularly, and classes are taught on campuses where university staff are expert in a particular area of the curriculum.

Labour is planning a series of pilot projects initially, each costing about £100,000. The costs would be met by squeezing the budgets of the more expensive university education departments, which receive up to £3,500 to train each teacher when other institutions do the job for £1,500.

Mr Blunkett, who has held a series of meetings with the Teacher Training Agency, in Britain, and the National Association of Laboratory Schools, in the United States, believes that the system will have particular benefits for inner-city pupils. As well as improving their schooling, the link would give teachers early contact with universities and raise their aspirations for higher education.

Successful Conservative education secretaries have used the example of teaching hospitals to justify moving teacher

training away from the universities and into schools. Mr Blunkett will tell the ATL that school-based training has not been as successful as its supporters expected, and that Labour's scheme would represent a happy medium.

Laboratory schools would never be sufficiently numerous to be the main training ground for student teachers, but the elite group would become a testbed for research on education. The schools would follow traditional teaching methods favoured by Conservative and Labour politicians.

The scheme has been championed by Professor David Reynolds, head of Newcastle University's International School Effectiveness Research Project and a member of Labour's Literacy Task Force, who focused public attention on the effectiveness of whole-class teaching in the Far East.

Some of the American schools date back more than 100 years, but the number has shrunk by almost half in the past 25 years. They have been criticised by American academics for creating an artificial environment.

Conservative plans to reform teacher training centre on proposals already announced for the first national curriculum, in the subject.

School-based training would expand further under another Conservative Government.



A quiet lunch is out of the question for the Majors as they peruse the menu at a fish restaurant in Braunton

Major clanger at hardware store

By ARTHUR LEATHLEY

JOHN Major must have thought he had drawn a line under the sleaze controversy yesterday as he negotiated a full day of campaigning without any reference to the issue which has dogged the early stages of his general election battle.

But even the most diligent Tory party aide could do nothing to prevent the wry smiles which followed when the Prime Minister entered a hardware shop in Braunton, the last stop on the day's campaign trail. They grimaced as they raised their eyes to the sign above the door and saw in bright letters: "Sleaz Home Hardware".

Nevertheless, Mr Major appeared more buoyant than in recent days as he arrived in the North Devon constituency

SLEAZ HOME HARDWARE

Sleaz shop caught out Mr Major

to begin canvassing support in the extremely marginal seat, held by the Liberal Democrats by only 794 votes. He bantered with shoppers in Barnstaple and even had time to exchange quips with journalists, joking that he would kill one of them if he revealed the surprise gift that Norma Major was planning to buy her husband for his birthday next weekend.

It was his third visit to the constituency in three years and he looked relaxed as he settled down with Mrs Major for a gargantuan portion of plaice, chips and

beans at the Squires Fish Restaurant in the seaside resort of Braunton.

Mr Major hailed improving trade figures as part of a "quite astonishing" set of economic figures which have been published during the last week. He made clear his displeasure that the statistics had been "drowned out" by the sleaze allegations but he added: "Try as our opponents might, that is the message they can't draw out throughout the campaign." And he showed his irritation with last week's damaging headlines when he demanded: "Let us have no more of those spilling tactics and negative nonsense."

Senior Conservatives insisted that Mr Major would continue to force "the economic issues, in particular the need for the lowest possible taxes, to the forefront of the campaign."

Tory ex-candidate to face US court

By ANDREW PIERCE AND STEPHEN FARRELL

THE Tory parliamentary candidate who resigned last week citing business commitments is due to appear in court in New York on Thursday on a drink-driving charge, which carries a maximum jail sentence of 12 months.

Derek Laud, 35, is being

sued for £5.5 million damages by the occupants of a car involved in a collision with him last August. He is also charged with driving on the wrong side of the road and without a proper licence.

Mr Laud, who was to stand against Bernie Grant in Tottenham, resigned unexpectedly on Friday. In a statement he said: "I feel I must bow out

owing to business commitments which have been taking up an increasing amount of time. The demands on my time are such that I am not able to commit myself 100 per cent to the campaign, therefore I believe I should stand down."

Mr Laud, a political lobbyist who is a close friend of Neil Hamilton and Sir Michael Gyles, two of the Tory MPs at the centre of the cash for questions controversy, did not mention the imminent court case or the lawsuit in his statement. Mr Hamilton and Mr Laud have regularly worked together, and were in

the past consultants for Strategy Network International.

The case, to be heard at East Hampton Town Justice Court, has been viewed with dismay by Conservative Central Office which is anxious to avoid any further distractions to its general election campaign.

The lawsuit has been filed by Arnold Paulen, 76, a retired dentist, and his wife, Marcia, 72. Their car was badly damaged in an accident as they returned from a 50th anniversary party. Both had hospital treatment. Their son and daughter were also in the car, and the son required surgery.



Laud: sued for damages

Witnesses said that when Mr Laud was arrested he told the police he was a former personal assistant to Baroness Thatcher. Mr Laud was yesterday on holiday overseas.

Hospital closure claim dismissed as 'rubbish'

LABOUR denied a Tory claim yesterday that it planned a £2 billion programme of hospital closures. Chris Smith, the Shadow Health Secretary, described it as "a load of rubbish" (James Landale writes).

But Stephen Dorrell, the Health Secretary, insisted that Labour's refusal to match the Government's commitment to year-on-year increases in NHS spending meant hospital cuts would be inevitable. He said that rising pressure on costs in areas such as care of the elderly meant cuts in other

services. "It is simply a matter of arithmetic that within a fixed overall total [Labour] will have to make cuts in the hospital services to make their sums add up," he said.

Mr Smith insisted: "We have no plans for hospital closures. We may in due course want to look at the possible merger of administrative hierarchies of hospital trusts, slimming down bureaucracies whilst keeping facilities and sites in operation, but that is a very different thing from closing hospitals."

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Goldsmith plans big campaign rally

By ANDREW PIERCE AND DOMINIC KENNEDY

SIR James Goldsmith is planning what is billed as the biggest rally of the general election to try to show that the Referendum Party has not run out of steam.

Up to 5,000 people are expected at Alexandra Palace in north London on Sunday, April 13, when the billionaire financier, who yesterday rejected reports that canvassers were being paid in his Putney

constituency, will deliver a keynote speech.

Leading candidates such as the actor Edward Fox, Sir Alan Walters, Baroness Thatcher's former economics adviser, and John Aspinall will join Sir James. Party officials are hoping that the event will eclipse a Tory rally days earlier at the Albert Hall, which could attract a similar audience.

John Major hopes to evoke an atmosphere similar to the last night of the Proms. Lab-

our, still bruised by the Sheffield rally in the 1992 election, which many observers regarded as a turning point in the Tories favour, will try to avoid mass meetings that could turn into triumphalist rallies.

The Referendum Party will launch its manifesto next week and the highlight of the campaign will be the Alexandra Palace rally. "It will be a rallying cry for all our supporters," one official said.

The Referendum Party yes-

terday issued writs against The Express after the paper alleged that an undercover reporter had been paid by the party to canvass in Putney, where Sir James is challenging David Mellor.

The action was taken by Sir James after The Express reported a telephone conversation with Charlotte Blacker, the party's local agent, which allegedly described her as warning the undercover reporter to make sure no one found out he had been paid.

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Palestinians reject Israeli demands

Security deal
suspended as
new intifada
breaks out
in Bethlehem

FROM CHRISTOPHER WALKER
IN JERUSALEM

THE Palestinian Authority's rejection of Israeli demands for resumption of negotiations and fresh violence in the occupied West Bank and Gaza Strip ensured last night that the peace process remained in a state of crisis.

An announcement by the Palestinians that they had finally suspended security ties with the right-wing Israeli Government of Benjamin Netanyahu compounded the fear of Israelis. They are living in a state of virtual siege as they anticipate more suicide-bomb attacks like the blast on Friday at a busy Tel Aviv café.

Muhammad Dahlan, the Palestinian Preventive Security chief in Gaza, in a reference to Sunday's ultimatum from the Israeli Cabinet that a crackdown on Islamic militants was "a necessary condition" for further peace moves, noted with contempt: "We will not accept or deal with the Israeli conditions and will treat them as if we did not hear them."

Diplomats said the situation was so critical that "persuasive United States diplomacy" was needed.

Yesterday, anti-Israel riots raged in Bethlehem where troops fired teargas and were again forced to evacuate Jews praying at the Matriarch Ra-



A Palestinian prepares to hurl a bottle at Israeli troops during yesterday's clashes in Bethlehem. Riots also erupted in Hebron and the Gaza Strip

chel's Tomb. Teargas was also fired in Hebron where stone-throwing crowds attempted to storm an enclave housing 450 Jewish settlers.

Violence also erupted in the Gaza Strip as Israelis shot and wounded a Palestinian they accused of trying to break through a checkpoint. The shooting underscored the nervousness felt by Israelis who fear more suicide bombings.

Captain Khaled Abu al-Lila, the head of the Palestinian liaison office with the Israeli Army in southern Gaza, alleged that the wounded man

had been shot twice in the back while driving a car. "Instead of trying to catch him or even stop him, the soldiers shot at him," he said.

More than 200 Palestinians have been injured since the rioting began last week. The action was triggered by Mr Netanyahu's decision to dispatch bulldozers to break the ground for a huge settlement project for 32,000 Jews at Har Homa, in east Jerusalem which was annexed by Israel after the 1967 war. Most of the injured were overcome by teargas but about 20 suffered

gunshot wounds inflicted by Israeli soldiers.

In the most significant blow to relations since the bulldozers began work at Har Homa, Mr Dahlan announced in Gaza, which like the West Bank is now indefinitely sealed off from Israel: "We stopped both security activities and intelligence co-operation as a result of the Israeli violations of the [peace] agreement by continuing to establish settlements."

Even before yesterday's suspension, Western officials had voiced fears about the rapid

deterioration of Israeli-Palestinian security co-operation. The joint action is regarded as essential in order to prevent terror and violence from erupting on a much wider scale than already seen.

The Israeli Cabinet had set out six points before political negotiations could resume. In addition to a crackdown on the militant Hamas and Islamic Jihad, these included a prevention of incitement against Israel, confiscation of illegal weapons and compliance with Israel's extradition requests for wanted terrorists.

The Palestinians scathingly dismissed the list of demands, stating that they would not become a "client militia". "They [Israel] are wrong if they think that the Palestinian Authority is a copy of Antoine Lahd's forces in South Lebanon," Ahmed Abdel-Rahman, the Palestinian Authority's general secretary, said in reference to the Israeli-financed South Lebanon Army which fights alongside Israel against Hezbollah. Saeb Erakat, the Palestinians' chief negotiator, said in Jericho: "We do not feel we have partners any more."

Roman road found at holy site Early sitting for Last Supper

BY CHRISTOPHER WALKER

WORKERS digging a ditch for new sewage pipes near the Wailing Wall, the holiest Jewish site, have uncovered huge paving stones believed to be part of a 4th-century Roman road.

Archaeologists fear that the important discovery in Jerusalem's Old City could lead to new violence at a time when Israeli-Arab tensions are near breaking point.

The municipal teams stopped digging when the historic paving stones were discovered last week. They

date back to the 4th century, but Amnon Lorch, director of the Israeli-funded East Jerusalem Development Corporation, maintains that the roadway is much older, possibly from as early as 400 BC.

The road — now buried up to four yards deep — runs south to north at the back of the Wailing Wall square, parallel to the wall itself. Mr Lorch believes that it was part of a main city road depicted in a famous Byzantine floor mosaic showing Jerusalem in the year 500. "It is exciting to discover how accurate the people who made that map

1,400 years ago were," he said. Mr Lorch said that any excavation of the road could face opposition from Orthodox Jews and Muslims. It is only 75 yards from the Wailing Wall which borders the former temple compound containing the al-Aqsa Mosque, Islam's third holiest shrine after Mecca and Medina.

Last September the opening by Israel of a new entrance to an archaeological tunnel along the wall caused gun battles between the Israeli forces and Palestinian police which left nearly 80 people dead and 1,500 wounded.



Christ: dined 'three days before Crucifixion'

Jerusalem: Jesus and his disciples shared the Last Supper three days, and not just a matter of hours before his Crucifixion, according to a new book by Bargil Pixner, a Benedictine monk and Bible scholar at Jerusalem's Dormition Abbey on Mount Zion (Christopher Walker writes).

The theory, allegedly supported by archaeological excavations, is outlined in *With Jesus in Jerusalem*. It is holy contested by other Bible scholars in the Holy City as arguments about the event gather momentum in Easter week.

The rival scholars themselves challenge traditional beliefs about an event that has evolved into a central Christian ritual, the Holy Communion. Some claim that Jesus and his disciples did not sit at a banquet table like that envisioned by Leonardo da Vinci, but were reclining, Roman-style, and eating from small round tables. The new

arguments have been encouraged because hard facts are thin on the ground. The four Gospels of the New Testament provide little detail of the meal, saying only that it took place in a guest room inside walled Jerusalem around the time of the Jewish Passover holiday.

Mr Pixner contends that the Last Supper took place on Tuesday evening and was given by the Essenes, authors of the Dead Sea Scrolls, a group of Jewish purists who rebelled against what they saw as the corruption of the temple priests. He claims that the trial of Jesus lasted from Wednesday until Friday.

The Essenes lived mostly in small rural communities. But Pixner claims to have found proof that they also had a monastery and living quarters on Mount Zion. He also argues that Jesus celebrated Passover according to the Essenes' fixed 364-day solar calendar, rather than the temple's newer one.

Algiers terror leader shot dead in gunfight

FROM BEN MACINTYRE IN PARIS

THE Algerian Islamic terrorist believed to have masterminded a bombing campaign in France in 1995 was shot dead by government forces near Algiers at the weekend during a fierce six-hour gunbattle.

Rihane Yahia and three fellow members of the Armed Islamic Group, GIA, the most militant of the factions fighting to overthrow the Algerian Government, was killed when his hideout was stormed.

Yahia and his henchmen were traced to an 11-storey block of flats. Troops blew up the roof of the building before launching their assault.

Yahia, alias Abdallah Krounfel, was wanted in France in connection with the hijacking of an Air France jet

in 1994, in which three passengers were killed, and for organising bomb attacks in France in 1995 which left eight people dead.

Algerian newspapers described the killing of Yahia as "a major blow to the fundamentalist groups", resulting from a "huge anti-terrorist operation carried out by the security forces in several regions".

Yahia was appointed by the GIA high command to supervise the attacks in France, *Le Matin* reported. He was also suspected of co-ordinating the hijacking of an Air France plane in Algiers which ended when French paratroopers killed all four hijackers. The GIA responded by murdering four priests.

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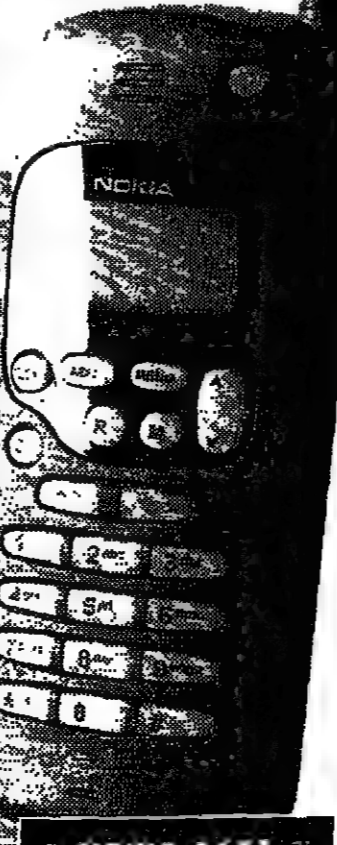
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Resigning would be too easy, says Berisha

PRESIDENT BERISHA has said he cannot guarantee the safety of aid convoys coming to Albania.

In an interview with *The Times*, the President reiterated his appeal for a small multinational force, and said he had considered resigning during the height of his country's crisis, but that it would have been "too easy".

As European Union governments work out the logistics of sending aid, Mr Berisha admitted that looting and banditry would be a major hazard to any humanitarian operation. "I could not say that international convoys would be safe on our territory for the moment, and they must have full security."

But Mr Berisha rejected Nato studies suggesting Albania needed a Bosnia-style force, and said any military intervention would be required for the short term only. In the longer perspective he requested EU technical assistance in rebuilding the country's police force and legal structures.

"Despite what happened we are a European nation, one of the oldest of the Western world and we must have our place there," he said.

His interview capped a weekend in which he threw open his doors to the international press, after a tantalising silence and growing rumours about his health. "I never once thought of being closed to the media," he said against the cackle of machinegun fire in the darkness outside.



Albania needs a multinational force to rebuild legal structures, the beleaguered President tells Tom Walker in Tirana

His most uncomfortable moment came when he realised that his Socialist opponents had to be involved more in the efforts to stave off war, and he announced a new cross-party Government.

"Only on the day when I offered the national reconciliation platform was I thinking to resign, but this was too easy," he said. "I asked myself, could I do more — could I do something above this platform and save the country from civil

snap election to a new five-year term in office by a rubber-stamp parliament was inflammatory. He would abide by the constitution and elections, he said. "Presidential coups are for Latin America, not here."

If he left office, he ruled out a return to his former career as a cardiologist. "Nine or ten years ago I decided to leave my profession. It was one of the most painful moments for me," he said. "Since then I

colleagues, whatever the price we must pay, we must cut down these pyramids. We must get the country out of this hell. I never felt afraid."

In his few moments of relaxation, President Berisha told of a liking for books, most of all the works of Dostoevsky and Hemingway. *Crime and Punishment* struck a particular chord. "Physicians are more able to understand that book because of the characters."

Unlike Enver Hoxha, his predecessor at the helm of Albania, the President does not wish to write his version of history. "I don't like memoirs, because almost all people who write memoirs, they write things in their favour. I have read a lot of them and I don't like them."

A northern Albanian from shepherd stock, Mr Berisha said that when the storm has passed, he will head for his native highlands. "I will just walk — this is my holiday," he said. "I go up, to get trained. I like very much mountains."

Although his children are interested in politics, he ruled out a Berisha dynasty. And as for guidance during the past calamitous weeks, the Albanian President confessed that an unseen hand had helped to forge the new Government. "I don't practise but I am a believer. I definitely believe that God helped me."

Mr Berisha said he drew inspiration from Winston Churchill. "He was a genius. His greatest moments were in Cabinet; he knew how to act."

I will abide by the constitution and elections. Presidential coups are for Latin America, not here

war?" Mr Berisha insisted he enjoyed nationwide support, and that southern Albanians held no grudge against him because of the pyramid fund fiasco that has thrown economic development back a decade.

"I am deeply convinced I have friends in the South. There is a silent majority in Albania," he said. "I was in Gjirokastra two weeks ago and I had the warmest reception."

Mr Berisha denied that his

have never practised, and in cardiology I was using some very fine techniques and practice is essential. I could never do it again."

Was the President tired after a harrowing three weeks? "Since my youth until now I have always worked until midnight or one o'clock. I have not changed because I became President, I was always like that."

Did he ever feel in danger as mob rule spread, often demanding his head? "I told my



Berisha: "I am convinced I have friends in the South... there is a silent majority"

Shots as Italy halts influx of migrants

FROM RICHARD OWEN IN ROME

AFTER nearly two weeks of giving shelter to thousands of Albanians fleeing across the Adriatic, Italy yesterday announced that it would turn back boats from Albania, citing "growing evidence" that many of those trying to enter were not genuine refugees but illegal immigrants.

There was immediate tension over the new policy, with shots fired at Italian coastguards from an Albanian fishing boat just off Brindisi while it was being towed back out to sea.

The fishing boat, carrying a hundred Albanians, was boarded by armed police and taken into Brindisi, where the Albanian captain was arrested. Captain Giovanni Bizio, the coastguard commander at Brindisi, said from now on any refugees reaching the southern Italian ports would be treated as illegal immigrants.

The mood in Italy, initially sympathetic to the refugees, has hardened noticeably. An Interior Ministry spokesman said many recent arrivals were from areas "which have not even been touched by the revolt."

After a lull over the weekend, the flood of Albanians resumed yesterday. Nearly a thousand arrived at Brindisi and other ports before the ban was imposed. Authorities conceded that the policy would be difficult to enforce.

Albania's historic sites fall prey to thieves and vandals

BY JAMES PITTIFER AND RUTHER IN BUTRINT

THE famous ruins at Butrint have been looted and other key sites are threatened by the unrest in southern Albania.

Lords Rothschild and Sainsbury have contributed £200,000 each to work at the 40-acre Butrint site where Greek, Roman, Byzantine and Venetian ruins have been excavated in recent years. The British School in Rome is in charge of the dig, and Sir Patrick Fairweather, the former British Ambassador in Rome, was recently appointed director of the foundation.

"If confirmed, this would be terrible news. Butrint is a unique ancient site. Vandalism is a tragedy," he said.

Telenak Llahana, from the Albanian Institute of Cultural Monuments, confirmed that the site had fallen victim to both theft and vandalism. "Butrint is the most important archaeological site in Albania and of great international significance," he said. "The continuity of our culture since



500 BC is in evidence here as at no other location. Now we are missing some statues and the archaeologists are unable to work."

Butrint occupies a spectacular site in southern Albania looking across the Ionian Sea to Corfu. Ministry of Culture staff have abandoned the site. Doors to the museum and archaeological store-rooms in a partially restored Venetian fortress overlooking the site have been smashed. Glass display cases and statues have been shattered. Other statues have been stolen.

"There was some monetary value to the pieces which were

taken, but they were mostly of value to Albania as part of the nation's heritage," Mr Llahana said. Butrint, which has about 25,000 visitors a year, has figured prominently in various schemes to boost tourism in Albania.

The looting at Butrint comes amid increasing concern by archaeologists in Britain and international cultural institutions at the damage to historic monuments being caused by the conflict. A Unesco spokesman in Paris said: "We are watching things very carefully. There are two world heritage cities in Albania, and they cannot be allowed to be ruined."

In the past week, many important buildings throughout the country have been destroyed, mostly by fire, in Berat, Durres and other towns. Elbasan, on the emerging North-South front line between government and rebel-held territory, has some of the most important remaining Ottoman buildings.

Rome urged to intervene

Rome: Bashkim Fino, the Albanian Prime Minister, yesterday travelled to Rome to hold talks with Romano Prodi, the Italian Prime Minister, on possible Italian intervention in Albania (Richard Owen writes).

Italy is reluctant to commit troops for the protection of aid distribution without the backing of other European Union countries.

Italian helicopters delivered two tonnes of medical aid to the southern Albanian port of Vlore on Sunday, and yesterday the Italian Air Force delivered another six tonnes of medical supplies to Tirana.

Italian officials said the supplies would be distributed

to hospitals regardless of whether they were under the control of the Government or not. Lamberto Dini, the Italian Foreign Minister, said large scale aid distribution would need the protection of Western forces.

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Mobutu seeks deal as rebels advance on mining cities

FROM SAM KILEY IN KINSHASA

TWO key cities at the heart of Zaire's mining industry appeared set to fall to advancing rebels without a fight as President Mobutu sacked his Prime Minister yesterday as a prelude to peace talks.

Mr Mobutu, who returned home on Friday after undergoing treatment for cancer in Europe, dismissed the unpopular Leon Kengo wa Dondo. Last week parliament had removed him as Prime Minister in what was seen as an army-engineered move. Mr Mobutu was expected to appoint a replacement who would negotiate with Laurent Kabila, the leader of the Alliance of Democratic Forces for Liberation of Congo-Zaire, who wants to topple the President.

The move towards negotiations came after Thabo Mbeki, the Deputy President of South Africa, met Mr Kabila in Kinshasa and urged the rebel leader to agree to talks with Zaire's ailing President. Both parties were simultaneously invited to a regional summit in Togo later this month.

Members of Mr Mobutu's family said yesterday they were certain the negotiations would start very soon. "We don't have any other choice," a close relative said.

The urgent preparations came as the rebels control up to a third of Zaire, including

its third largest city, Kisangani. Fresh reports said government troops were ready to abandon Lubumbashi, the second-largest city, to the advancing rebels. Further setbacks were also expected in Mbuji-Mayi, which is the centre of Zaire's \$20 million (£12.4 million) a week diamond trade.

According to businessmen in Lubumbashi, headquarters of the rich copper, gold, and uranium mining industry, the Zairean Army has been ordered to throw down their guns rather than engage the rebels in a battle for the city which the army cannot win. One leading businessman said the local military commander had sought permission from Nbanda Mobutu, the President's son and head of security, to lock his weapons in an armoury to prevent soldiers from using them in a looting spree before capitulating.



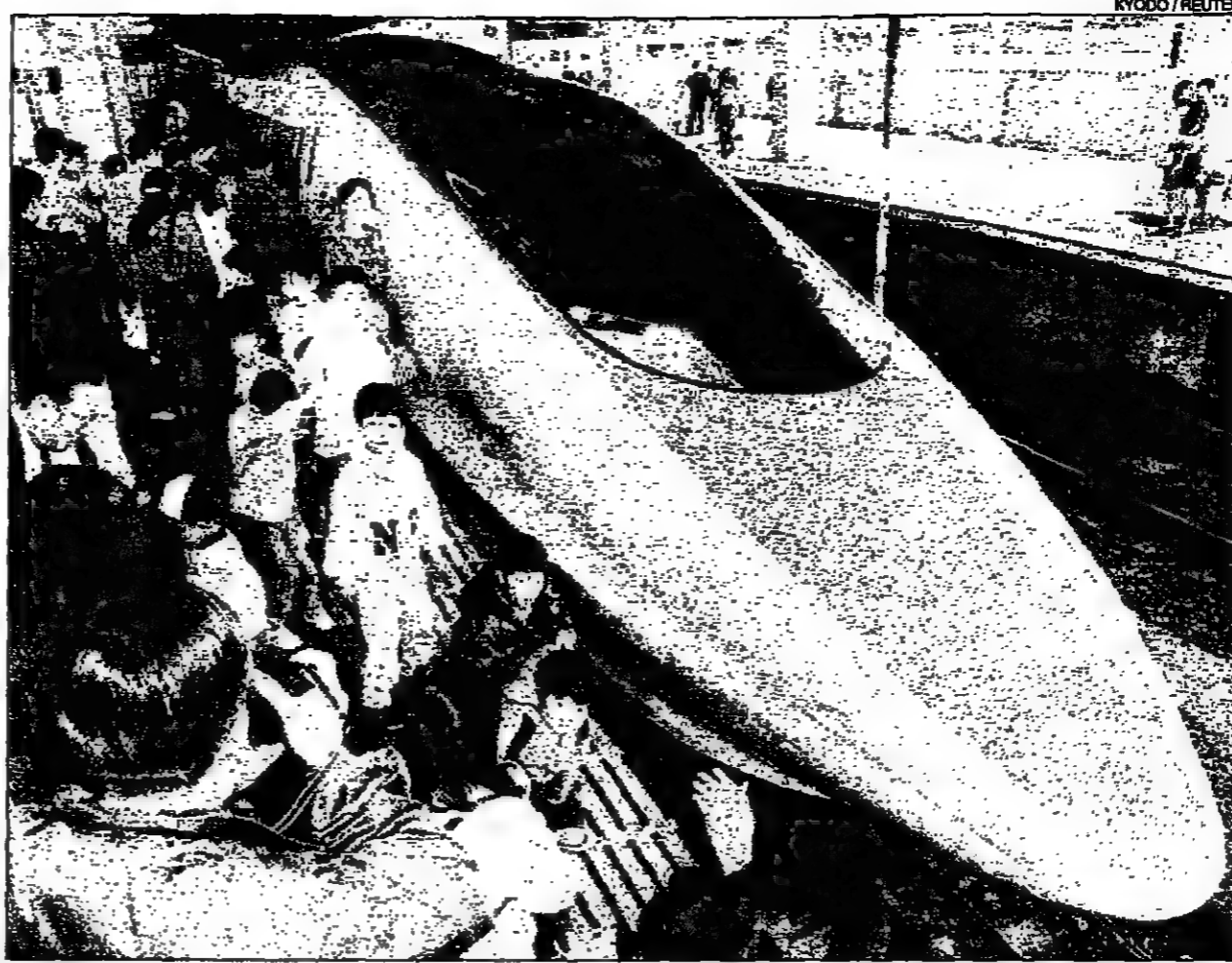
ing. "He didn't get the permission. But you get a sense of what the defence of Lubumbashi is going to be like. The commander said his men would not fight but many would join the rebels," the businessman said.

Once called Elizabethville and capital of the then Katanga Province, Lubumbashi has been a hotbed of secessionist agitation since Zaire gained independence from Belgium in 1960. Military sources in Kinshasa said that most soldiers had left the city, and those left were "local boys".

"There's more chance that they will join the rebels than take part in the defence of the city," a civic leader in Lubumbashi said. Many expatriates in Lubumbashi have already sent their families to South Africa and neighbouring Zambia.

Mbuji-Mayi, however, was described as more tense since many army deserters had been causing trouble in recent days for diamond dealers and at the airport, prompting local airline operators to suspend flights to the city.

"It is true the defeated soldiers are causing trouble," said an European diamond trader. "But the Government is dealing with them very effectively and sending them back to Kinshasa as soon as they arrive."



Japan's latest bullet train, the 187mph Nozomi 500, which takes 44 mins to travel 120 miles between stations

Japan's bullet matches TGV for speed

FROM ROBERT WHYMANT IN TOKYO

A POWERFUL new "bullet train" in Japan has achieved the world's fastest average speed on a commercial run, and has matched its French rival's record for top speed during a regular scheduled service.

The 500-series Nozomi (Hope) averages 151.5mph on its new service between Osaka and the southwestern city of Hakata, the West Japan Railway Com-

pany said yesterday. The company said the train had broken the Guinness record for the fastest average speed between two regular stops on the service, which was inaugurated on Saturday. Nozomi 500 covers the 120 miles between two stations on the line, Hiroshima and Kokura, in 44 minutes, an average speed of 163.6mph. That outstrips France's TGV train, which runs between Paris and St Pierre de Corps (Tours) at a top average speed of 157mph. A similar journey between London and Newark, Nottinghamshire

on an InterCity 225 would take 75 mins.

During its inaugural run the Nozomi 500 achieved a top speed of 187mph, surpassing France's TGV, which runs at a top speed of 186 mph, according to *The Guinness Book of Records 1997*. But a Japan West Railway spokesman pointed out that the TGV's actual top commercial speed is 187mph.

"We can't claim to have beaten the French record, but we've certainly matched it," the spokesman said of the new daily round-trip service.

Beijing offered Tibetan 'vision'

FROM JONATHAN MIRSKY IN TAIPEI

IN an astonishing offer to Beijing yesterday the Dalai Lama proposed a vision that "could save the Motherland".

The exiled Tibetan leader, who is spending six days here addressing huge prayer meetings, said: "If I can find a good way to return to Tibet, that would influence people in Mongolia and Xinjiang where many trust me. So if I found a way to exist inside the People's Republic I could help save the Motherland."

This was followed by the laugh the Dalai Lama uses to show that something which sounds absurd is worth thinking about.

It will be hard to believe in Beijing where the routine epithet for the Dalai Lama is "criminal splittist". Since he was driven into exile in 1959 the Dalai Lama has been accused of trying to rip Tibet from China which occupied what is now its largest region in 1950. For many years the exiled spiritual leader led an independence struggle.

However, this battle has moderated as the Dalai Lama saw that the conflict between unnamed Tibetans and Chinese troops did little but kill local people and hasten the migration of Han Chinese.

The Dalai Lama then suggested a "close association with China" in which Beijing would have responsibility for foreign policy and defence, "exactly what has been offered to Hong Kong".

The Dalai Lama will be meeting Taiwan's President Lee Teng-hui on Thursday for a "spiritual conversation". Some of Mr Lee's critics have assailed him for using the Taiwan Buddhist Association as a "white glove", encouraging local Buddhists to invite the Dalai Lama to Taiwan without giving Beijing the excuse of labelling it a state visit.

The Tibetan leader said: "I am trying to make a contribution to Chinese unity, to remain within the country. If I go back there and work with the Chinese, the Tibetan people will benefit and China will have a stable Tibet. I am here to show Chinese all over the world that I am not a splittist."

Port Moresby ministers quit

FROM NOEL PASCOE IN PORT MORESBY

FOUR Cabinet ministers resigned yesterday after it was announced that members of the Papua New Guinea defence force planned to march today on parliament in protest against the Government of Sir Julius Chan.

A force of about 1,000 policemen will be on the streets of Port Moresby to guard key installations, although army officers gave an assurance that the uniformed marchers would be unarmed. Sir Julius, under pressure from within parliament as well as from the

public, is expected to lose more ministers following yesterday's resignations, which included Castan Maibawa, the Police Minister.

As the capital prepared for the protest march, Lieutenant-Colonel Tim Spicer, chief executive of Sandline International, which recruited the mercenaries hired by Sir Julius to help put down a nine-year-old rebellion on Bougainville, was ordered yesterday to remain in Papua New Guinea for a court appearance on April 8.

Colonel Spicer is charged with illegal possession of a firearm and ammunition. He appeared before a magistrate and pleaded not guilty to the charges. He has also been summoned to appear next week before the commission of inquiry set up to examine the deal between Sir Julius and Sandline.

Colonel Spicer said the Papua New Guinea Government had already paid half of the money due under the contract, reported to be worth about £18 million.



Spicer: pleaded not guilty

Pakistan frees Indian boys

FROM CHRISTOPHER THOMAS IN DELHI

THIRTY-EIGHT Indian youngsters, held prisoner in Pakistan for up to four years, arrived home to tearful reunions with their families yesterday in time to celebrate the Hindu festival of Holi.

They were released by Pakistan as a goodwill gesture in the run-up to high-level talks with India next weekend. The boys, most aged in their early teens, were arrested at various times since 1993 for fishing in Pakistani territorial waters. They are from the western coastal state of Gujarat, which

adjoins Pakistan. Holi, which celebrates the victory of good over evil, was regarded by Pakistan as an appropriate occasion for their release.

The youngsters, employed as crew on fishing boats, were initially held in prison, but were moved to children's homes after protest by Pakistani human rights groups. They were flown to Bombay from Karachi on Sunday, dressed in new bright yellow kurta-pyjamas — the traditional long shirt and baggy trousers of Pakistan. They

were given soft drinks and sandwiches at Karachi airport and had a friendly send-off by social activists who had campaigned to have them sent home.

Devibhai Tandel, a former MP from Gujarat who met the boys at Bombay, said the former detainees had complained of poor food and ill-treatment by police in Pakistan. "They are relieved to be home," Pakistan is holding 192 adult Indian fishermen, and 190 Pakistani fishermen are held in Indian jails.

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Franco had secret plan to invade Gibraltar at start of Second World War



Franco wanted blockade

FROM TUNKU VARADARAJAN
IN MADRID
AND DOMINIQUE SEARLE
IN GIBRALTAR

GENERAL FRANCO, the Spanish dictator, was close to invading Gibraltar in September 1939, according to secret military documents uncovered yesterday.

Although historians have suspected that Franco had military designs on Gibraltar, there has to date been no hard proof. The documents, obtained from Spanish

government archives by the Madrid news magazine *Mundo*, now reveal conclusively that *El Caudillo* ordered his military command to draw up detailed plans to take Gibraltar by force.

Codenamed Plan G, the strategy involved storming Gibraltar by land and blockading it by sea, and was put together by Colonel Joaquín Ysasi Ysasmendi. Franco believed that the time was right to recapture Gibraltar, won from Spain by Admiral Rooke in 1704 in the War of Spanish Succession. His

troops, although weary after a three-year civil war, were still in a state of combat readiness and their nationalist morale was high.

The Spanish generals also calculated that with Hitler's invasion of Poland and Britain's subsequent declaration of war on Germany — London's grip on Gibraltar would be less tenacious than usual.

As soon as Plan G was presented to him, Franco rushed troops to the areas bordering the Rock, sparking alarm in Britain. According to military jottings appended to the

documents, Spain appears to have been warned by Winston Churchill that the Royal Navy would waste no time in laying siege to the Canary Islands if Gibraltar's territory was violated by Spain.

Churchill's threat, allied to Franco's own innate circumspection, ensured that Plan G was not executed. Instead, the Spanish dictator kept Spain steadfastly out of the Second World War. Yet Franco never fully abandoned his desire to take Gibraltar by force. In 1940, both he and Ramón Serrano Suñer,

then the Spanish Interior Minister, discussed with Hitler the possibility of seizing the Rock. The latter had his own plan — codenamed Operation Felix — which envisaged an attack on Gibraltar by 20 divisions.

The plan did not get off the ground because Franco was adamant that only Spanish troops should be used in the assault, and that Spain's support in the war was conditional on the acquisition by Madrid of French Morocco and the Oran area of Algeria. Hitler, who was constantly urged by Mussolini

to cut Franco down to size — and who could not afford to antagonise his French allies — by handing them north African territories over to Spain — refused Franco's stubborn terms.

Their only encounter, conducted in a railway compartment in Hendaye, was such a trying affair for the Führer that he told his aides later that he would "rather have three or four teeth pulled out" than discuss strategy with Franco again.

Leading article, page 19

Renault strikers halt Eurostar in Brussels

FROM CHARLES BRENNER IN BRUSSELS

ABOUT 250 striking workers from the Belgian Renault plant yesterday blocked the London-bound Eurostar and other express trains for two hours in a protest at a Brussels station.

Workers used baggage trolleys and other objects to stop the mid-morning Eurostar and Paris express from leaving the city's Gare du Midi, the terminus for high-speed trains. At lunchtime the workers left quietly after police thwarted their plan to take a train to Lille to picket the Renault factory there.

The action was the latest by workers who are fighting Renault's decision to close the factory at Vilvoorde, on the outskirts of Brussels, putting more than 3,000 people out of work. The factory has been occupied by its workers since

Louis Schweitzer, head of Renault, announced its imminent closure three weeks ago.

The "Vilvoorde affair" started as a cost-cutting exercise by the stumbling French car giant, and has become a symbol of workers' resistance across Belgium and France and other Continental states. Politicians have denounced the closure as proof that Europe has gone too far towards the "Anglo-Saxon model" of the free-market at the expense of the "social" traditions of job protection.

About 75,000 workers from across the Continent marched in Brussels earlier this month to voice their anger over policies which are deemed to put employment second to profit. The European Commission, backed by several member governments, has

promised to devise tougher measures to protect workers from sudden redundancy.

□ Bonn: Chanting workers from the Ruhr turned their anger against the banks which helped to engineer a steel industry takeover bid that threatens tens of thousands of jobs (Roger Boyes writes).

In the most open challenge to the German financial system since the 1960s, more than 1,000 steelworkers marched on the Deutsche Bank in Düsseldorf, while more than 30,000 prepared to take buses to Frankfurt today for a full-scale protest in Germany's banking capital.

An explosion in the foyer of a Dresdner Bank branch outside Essen raised fears that some workers might already be turning violent. Police were still unsure yesterday as to

whether the blast — which injured nobody — was a political act or merely a bungled burglary. Both the Dresdner and the Deutsche banks were involved in preparing the €5 billion hostile takeover bid of Thyssen by its Ruhr competitor, Krupp-Hoesch.

The workers are furious that directors from the two banks were sitting on the supervisory boards of both Krupp and Thyssen, yet did nothing to warn Thyssen of the hostile bid. They therefore believe it is the banks which are in effect destroying their jobs — at least 10,000 are at stake if the bid goes ahead.

The two steel companies are trying to work out a more friendly merger by Thursday night but, whatever the solution, jobs are sure to be cut.



Protesting Renault workers in Belgium scuffle with police outside the Holiday Trade Fair in Brussels yesterday

Rome salutes 40 years of 'ever closer union'

BY CHARLES BRENNER

THE European Union stages its forlorn birthday party in Rome today, marking the event with a plan for a multi-speed union which reduces veto powers but also offers reluctant members ways of staying out of new policies.

Foreign ministers from the 15 are to review the latest draft for a revamped Maastricht treaty in the Capitol chambers where dignitaries from the original six pledged their countries on March 25, 1957, to establishing a common market and creating an "ever closer union among the peoples of Europe".

Britain, which dismissed the 1957 scheme as misguided and stayed out of the European Community until 1973, will again stand out as the least enthusiastic member, objecting to a string of articles in the draft produced by the current Dutch EU presidency.

With less than three months to the scheduled finish of the "Maastricht II" treaty, the Dutch have narrowed the options on key areas involving frontier and crime control, foreign policy and "flexibility", the mechanism which will allow countries to opt out of policies they dislike. The thorny subject of reforming the European Commission and other institutions will be left for heads of state to haggle over at the concluding summit in Amsterdam in June.

Malcolm Rifkind, the Foreign Secretary, will make clear London's hostility when France and Germany lead their partners in the original six, plus Spain, in a push to give the EU a defence arm by incorporating the Western European Union (WEU), the European wing of the Nato alliance.

Lena-Hjelm Wallen, the Swedish Foreign Minister, yesterday warned that absorbing the WEU would threaten

and asylum. While providing for this, the new treaty recognises Britain's opposition by allowing for unwilling countries to opt out of the new border machinery.

Such mechanisms for flexibility are one of the main innovations in the revamped treaty, formalising the fact that the EU operates as a "multispeed" affair, allowing countries to opt out of some areas.

The Dutch are preparing to hold a special EU summit in mid-May, to clear the ground for the treaty, if a Labour government takes power. Britain's imminent election is only one of the uncertainties in the air in Rome today as ministers deliver solemn speeches to hail the achievement of four decades of common cause.

The speeches will note that the fate of the Union is closely bound to the project for the single currency, its biggest single leap since 1957, which is due to be launched in less than two years' time. With unemployment grinding down the powerful economies of Germany and France, experts are coming round to the idea that the scheme will have to be delayed to allow time for economic recovery. No Continental minister, however, will spoil the festive atmosphere in Rome by airing the possibility of delay, unless it is to reject the idea as unthinkable.

Britain's general election is only one uncertainty in the air in Rome today

the drive to bring Eastern European countries into the EU because Russia would resist it.

The WEU plan is also resisted by Ireland, Sweden, Austria and Finland, neutral states which are not part of the security alliance.

Britain is alone with Ireland, however, in its opposition to the removal of all internal frontiers and the pooling of powers over immigration

US falls out with Belarus

Moscow: Relations between America and Belarus deteriorated yesterday after the expulsion of a senior diplomat from the US mission in Minsk and a war of words between the two nations (Richard Beeston writes).

Kenneth Yalovitz, the US Ambassador, delivered a strongly worded protest to the Belarus leadership describing the action as "arbitrary and unjustified" and accusing Minsk of violating the Vienna conventions on diplomatic rights.

Serge Aleksandrov, the embassy's First Secretary, was among 70 people arrested during widespread demonstrations in Minsk on Sunday against the dictatorial regime of President Lukashenko.

Belarus television said that the diplomat was arrested and later freed for staging "provocative actions" during the protest and suggested he was working for the CIA.

The embassy insisted that Mr Aleksandrov, a career diplomat of Belarus origin, was merely observing the opposition rally. Nevertheless, he obeyed the 24-hour expulsion order and left the country yesterday as the US State Department considered possible retaliation.

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Right calls for sacking of 'liberal' Gingrich

FROM BRONWEN MADDOX IN WASHINGTON

CONSERVATIVE Republicans are calling for their former champion Newt Gingrich to be ousted as Speaker of the House, dubbing him "the most powerful liberal in American politics".

"He should be replaced as Speaker because he is killing us," says Pete King, a three-term congressman from Long Island, in *Weekly Standard*.

Mr King, who calls Mr Gingrich "roadkill" — a squashed animal — "on the highway of American politics", says that the Speaker is so weakened that he "cannot sell the Republican agenda" to Congress any longer.

Conservative fury has been provoked by Mr Gingrich's proposal last week to postpone plans for tax cuts in order to strike a deal with Democrats over balancing the budget. The most powerful Republican in Washington after the party seized control of Congress in 1994, Mr Gingrich is now accused of betraying that "revolution".

"This is a question of leadership", Jack Kemp, last year's Republican candidate for Vice-President said on Sunday. Mr Gingrich "has got to step forward, in my opinion, and

not get wobbly in the knees" about tax cuts, he added.

While Mr Gingrich yesterday embarked on a ten-day trip to Asia, party insiders were speculating on rivals for the job of Speaker, one of the most powerful posts in Washington. Names include Mr Gingrich's deputy, Dick Armey from Texas, and House Majority Whip Tom DeLay — although Mr DeLay rallied to Mr Gingrich's defence.

John Kasich, chairman of the House Budget Committee, a brash, ambitious 44-year-old who has been dubbed "son of Newt" for his combative approach, is also in the ring. There is growing speculation that, despite his youth, he is preparing for a presidential bid in 2000.

Mr Gingrich's greatest political mistake was to shut down the Government in 1995 when he failed to come to terms with the Democrats. He was also severely weakened last year by an ethics probe. Mr King says that the Speaker began 1997 "with a public approval rating a few points shy of the Ebola virus".

But the real damage to his reputation within his party



Newt Gingrich, a Speaker under fire, welcomed as he arrives at a USAF base in Osan, South Korea yesterday

has been done by his refusal to push through cherished policies. He has held back conservatives from trying to abolish quotas based on race and upheld funding for the National Endowment of Arts, a bête-noire of conservatives, who see it as a body "for funding transvestite performance artists", in Mr King's words.

There is no formal mechanism for replacing a Speaker. But party discontent may come to a head over the unresolved question of whether Mr Gingrich will pay the ethics committee's \$300,000 fine out of his personal finances, or whether he will be allowed to tap into campaign funds.

Beijing: Vice President Ai Gore arrived for talks that will involve American desires for better relations, concerns over human rights and a scandal over alleged Chinese political donations. "I have travelled here to reaffirm the vital importance of relations between our nations, and to continue building a lasting peace," Mr Gore said.

"The landscape of US-China relations is filled with many rivers, some flowing together, others apart," he added. "Such

varieties befits the interaction of two great nations and civilisations."

Hoping to end a diplomatic chill that has lasted for two years, the Vice President is the highest-ranking American to visit China since President George Bush was here in 1989 just months before Chinese troops crushed pro-democracy protesters in Tiananmen Square. (Reuters)

According to the memorandum, Switzerland received about \$325 million in gold looted from central banks, plus more than \$100 million it

laundered for the Germans during the war. In a 1946 agreement with the United States, France and Britain, the Swiss returned \$58 million. The memorandum said Portugal received \$139 million and in 1953, after years of refusing to admit that any gold it received had been looted, gave the Allies \$5 million. Spain received about \$100 million but returned only \$100,000, the memo said. It added that Sweden received \$23 million and returned \$8 million while Turkey bought \$10 million in gold and gave back about \$1 million.

Nazis 'sold £437m of looted gold to neutral nations'

FROM REUTER IN NEW YORK

NAZI Germany sold more than \$700 million (£437 million) of looted gold — worth \$7 billion at today's prices — to the neutral nations of Europe during the Second World War, according to an analysis of documents turned over to the American Government.

An internal memorandum prepared by the World Jewish Congress, based on British and American documents found in a hunt through the US National Archives lasting more than a year, said Switzerland bought the most gold from Germany followed by Portugal, Spain, Sweden and Turkey. The memorandum also says the five countries gave back less than 10 per cent of the gold after the war.

The documents on which the memorandum was based have been given to the Justice Department, one of several government agencies preparing a report on Switzerland's financial dealings with the Nazis under the direction of Stuart Eizenstat, the Under-Secretary of Commerce for International Trade. The report is due to be published next month.

According to the memorandum, Switzerland received about \$325 million in gold looted from central banks, plus more than \$100 million it laundered for the Germans during the war. In a 1946 agreement with the United States, France and Britain, the Swiss returned \$58 million. The memorandum said Portugal received \$139 million and in 1953, after years of refusing to admit that any gold it received had been looted, gave the Allies \$5 million. Spain received about \$100 million but returned only \$100,000, the memo said. It added that Sweden received \$23 million and returned \$8 million while Turkey bought \$10 million in gold and gave back about \$1 million.

The memo estimated that the Germans also looted \$40 million in gold from individuals, including gold confiscated from victims in Nazi death camps.

Documents captured by the Allies after the war reported that the Nazis melted this gold down into ingots that were included in German Reichsbank gold stocks.

Historians have claimed that if the Nazis had not been able to sell the gold it looted from conquered countries to the neutral nations, it would not have been able to buy the raw materials it needed for its war effort.

British government documents released by the World Jewish Congress last Friday said Portugal refused after the Second World War to give up looted gold it received from Nazi Germany, even though nearly four tonnes of Dutch gold remained in its original wrappers in Portuguese vaults. The 1947 documents said Portugal refused to return the looted gold or even admit it was looted.

Quick fame puts widow in hospital

New York: A nonagenarian from Kansas who became the hottest name in publishing when she sold her memoirs last week for more than \$1 million (£600,000) was in hospital yesterday recovering from the shock of it all (Quentin Letts writes).

Jessie Foveaux, 98, was admitted to hospital at the weekend suffering from extreme exhaustion and stress problems. The excitement of going from unknown widow to most talked about author in the United States in just one week undermined her normally robust health. "I guess the telephone rang just one too many times," she said from her hospital bed.

After she published her memoirs of a hard life, Los Angeles film producers, New York publishers, television executives and multi-millionaire dealmakers beat a path to her door in Manhattan, a dusty grain town, begging to buy the rights.

Baldness cure may damage sex drive

FROM QUENTIN LETTS IN NEW YORK

A DRUG for prostate disease has been found to stimulate hair growth and will be marketed in the United States in tablet form.

If federal approval is granted the new drug, Propecia, may allow balding men to treat their condition simply by taking a daily pill and without having to endure the oily routine of smearing their hairless domes with lotion. One possible drawback, however, appears to be a loss of sex drive.

Test results on Propecia were announced in San Francisco at a meeting of the American Academy of Dermatology. The multinational pharmaceuticals company, Merck & Co, found that in a small number of men (15 out of 720) Propecia restored a full head of hair to utterly bald pates. In 48 per cent of cases there was a recovery rate equal to about 7 per cent of former hairiness, and in

many patients who did not have hair recovery there was at least the compensation of a stabilisation of hair loss.

The drug appears to work by reducing the amount of dihydrotestosterone in the body. The generic drug in the pills is called finasteride which, according to Merck's Dr Keith Kaufman, "inhibits a key factor responsible for miniaturisation of scalp hair follicles — this leads to a reversal of the balding process". A stronger form of Propecia is already on the market under the name of Proscar.

Merck admitted that some 2 per cent of patients reported a dismaying reduction in libido. The ages of those tested ranged from 18 to 41.

Early reports suggest that the pill will initially be prescribed only to men and to women past childbearing age. In laboratory tests it caused birth defects in some animals.

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Sentenced to death by negligence and arrogance

Hundreds of people carry a lethal virus after the worst medical scandal in Irish history. Audrey Magee reports

As she lay dying between the white sheets of a Dublin hospital bed, Bridget McCole was faced with a stark and final choice: to submit to a panicking Government desperate to silence her, or to pursue a legal challenge to establish how she and almost 2,000 others were poisoned in the worst medical scandal in Irish history.

A mother of 12 from remote Donegal, Mrs McCole had Hepatitis C. She contracted the virus 20 years ago from a blood plasma injection given after the birth of one of her children. She wanted to know why and how she was infected. Instead of answers, she was offered £175,000 by the Irish Government on condition that she waive all rights to a legal challenge. She refused, and remained dogged in her determination to find answers until October 1, last year, the day before she died.

On her death bed in St Vincent's Hospital, she received a letter from the Government's legal team, referring to the huge costs if she continued her case. She relented, fearing the trouble and expense she would cause her family after her death. She died, from liver failure, with-



'They upset her on her death bed and for that I will never forgive them'

Bridget McCole

out learning that it was the incompetence and negligence of the Irish blood bank that almost certainly caused her death.

Bridget McCole, one of Bridget's six daughters, says her mother accepted the Government's

money very reluctantly. "It was never about money or anything like that to her because all she ever wanted was the truth," she insists. "They upset her on her death bed and for that I will never forgive them."

Mrs McCole, who was 54 when she died, was a happy, lively woman until about 11 years ago when she found blood clots, first on her leg, then on her lung. Her passion for walking the dog across long stretches of Donegal strand was soon replaced by constant fatigue, pain and tears of frustration at an illness she didn't understand.

Brid, 27, says: "I was with her for the last three weeks of cirrhosis and I never ever want any other person to go through what she went through. She suffered so much. At night we would be in our beds and she would scream with pain. It was something that should never have happened."

But it is something that could happen to hundreds of other women and men around Ireland who were given infected blood and blood products by the Blood Transfusion Services Board in Dublin. Half of the potential victims are likely to be women who were given Anti-D to prevent miscarriages or the birth of "blue babies". The remainder are haemophiliacs, kidney patients and blood transfusion patients entrusted to the care of the Irish medical system.

The Hepatitis C scandal came to light two years ago when the Government announced a screening programme for all women who had received Anti-D, a blood plasma product given by injection to about 5,000 Irish women each year. Made from human blood, it protects the fetus when the blood of the baby and mother are incompatible. It prevents antibodies in the mother's blood attacking the red blood cells of the fetus.

Panic struck and 63,000 women turned up at GPs and hospitals around the country for blood tests. Of these, 1,069 were found to be infected with Hepatitis C. The Government and the Blood Transfusion Service Board tried to brush

the infection off as a simple mistake and offered an average of £113,000 in compensation. But many women, like Mrs McCole, refused to accept their money or explanations. They wanted the real reasons why they were suffering fatigue, depression, dry eyes, pains in their bones and rheumatoid arthritis.

Phil Delaney, 49, from Co Kildare, knew immediately that she was a victim of the Hepatitis C infection. "It took two weeks before I had the courage to go to the doctor," she says. "I knew, because how else could you explain why, when I was getting my children ready for bed at six o'clock, I had to get ready as well? I had no energy to change into my nightclothes later in the evening."

The "Anti-D women", as they are now called, were scattered all over the country and had no contact or knowledge of each other. Jane

O'Brien founded Positive Action and began holding meetings in Dublin hotels. Hundreds of women attended.

"I could have done one of two things: go crazy with worry or get angry," says Mrs O'Brien. "I got angry and started kicking at doors demanding answers."

Positive Action demanded and was refused a tribunal of inquiry to establish the cause of the infection and to find out who was responsible. Michael Noonan, the Health Minister, changed his mind and set up a tribunal last October following the outcry over the death of Mrs McCole.

The tribunal, chaired by the former Chief Justice Thomas Finlay, began hearing evidence in December and has just completed its report. It found the transfusion board guilty of incompetence, negligence and arrogance and chastised the Government for failing to fund adequately the

National Drugs Advisory Board, which regulates the blood bank.

In a report that reads like a horror story, Mr Justice Finlay outlines how at least two batches of infected blood were used to make blood products.

Most of the infection occurred between 1976 and 1977 but, perhaps even more incredibly, there was also widespread infection between 1991 and 1994 when testing for Hepatitis C was common and widely available.

Mrs McCole, Mrs O'Brien and Mrs Delaney were all infected in the 1970s after giving birth. The tribunal found that the source of their infection was a woman known only as Patient X.

Patient X was receiving a plasma exchange at a Dublin hospital. Rather than dispose of her blood as is common and

safe practice, the transfusion board used it to make Anti-D. They used it without her knowledge or consent - consent she would have withheld as she had jaundice, which later developed into hepatitis in 1976. Doctors around Dublin alerted the board to reports that many of their patients who had received Anti-D had jaundice. The board tested the plasma and found it contained "infective hepatitis". Cecily Cunningham, the principal biochemist, received instructions to stop using Patient X's plasma in donor pools. She did so.

But without her knowing other batches that had already been manufactured continued to be issued. No warning was issued. Mrs McCole was infected with her Anti-D plasma on November 5, 1977.

There was no test in the 1970s for Hepatitis C, only a test which showed that there was some kind of infection

that was neither Hepatitis A nor Hepatitis B. The transfusion board sent samples in 1977 of the plasma from Patient X to the Middlesex Hospital in London, which stored the sample.

In 1991, when a test for Hepatitis C was available, the Middlesex retrieved the Irish sample, tested it and sent a letter, saying the sample from Patient X contained Hepatitis C. The transfusion board appeared to have ignored the letter and failed to act on the new information. Mr Justice Finlay said that the reaction to the letter "can only be construed as a blank refusal even to contemplate the consequences of what had been done in 1977 and a vague hope that by ignoring the problem it would go away".

But, in fact, matters became worse. In 1991, another woman, Patient Y, had some of her plasma stored by the board to be used in the manufacture of Anti-D. It was not tested before it was used and in 1994 it was discovered that Patient Y, too, had Hepatitis C. Hundreds more people had been infected.

Privately, doctors in Ireland are appalled at the incompetence of the board. The public is now wary and afraid of contact with the blood bank.

Dr Jeremy Garson, Honorary Consultant in Medical Virology at the Middlesex Hospital, said there was great "surprise" at events in Ireland. The only comparable case occurred in East Germany between 1978 and 1979 when 2,533 women received Anti-D contaminated with Hepatitis C.

Mr Justice Finlay placed most of the responsibility for infection on senior transfusion board staff, including the founding director, Dr James O'Riordan. Now 83, he was subpoenaed to the tribunal and failed to read files pertaining to the infection before taking the stand.

The judge concludes that Dr O'Riordan was a "person with a strong and dominant personality" determined to ensure that his blood bank maintained its reputation as self-sufficient in producing blood products for the Irish market - no matter what their source. Junior staff, who were aware of some infection, failed to act properly and covered under Dr O'Riordan's rule.

Mr Noonan has promised that the Government will pay the victims aggravated damages rather than the flat, indisputable rate initially offered. The compensation bill is likely to run into tens of millions of pounds. Mr Justice Finlay's report has been referred to the Director of Public Prosecutions, Eamon Barnes, who is considering whether criminal damages can and should be brought, he does proceed, Dr O'Riordan and his colleagues could face manslaughter charges.

Many of the victims and their families want the DPP to press charges. As Bridget McCole says: "I think somebody should be made accountable for this disaster and somebody should be brought to justice. Because if they are not, some other tragedy like this is going to happen again."

HOW ONE MOTHER FELT VICTIM TO HEPATITIS C

'Your whole body has been violated by this virus that you never wanted and didn't even know existed'



It makes it very hard on everyone.

Her sex and social life have suffered greatly. She and her husband, Joe, rowed persistently because he was frustrated with her inability to make love or to go out. Knowing that Hepatitis C is the cause has helped her relationship but has done little for her standing in Templeogue, a suburb of Dublin where she lives.

"People can be very small-minded and seem to think it is your fault. Some of the kids' friends have stopped coming to the house and for the first time the boys' school has not asked me to participate in the summer camp. There is a great fear that people can catch this from me."

She has accepted £131,000 compensation from the Government for the damage caused her. "The money helps because you can buy things that relieve the symptoms. I have to fight the thoughts that this would not have happened if I had stayed in London because it sounds very patronising. But all the same it does keep coming back to you - that feeling of what if?"

JOANNE DEVENEY came to Ireland from London to "live the good life". But it didn't last long. Within two years of her arrival in Dublin she was given an injection that she neither requested nor required, and now has contracted Hepatitis C. She faces the prospect of death within ten years.

In 1977, at the age of 19, she was pregnant with her first child. At a Dublin hospital she was given an injection of Anti-D, a blood plasma product to prevent incompatibility between the mother's and the baby's blood. Two years ago, she discovered the injection was infected with Hepatitis C.

"You feel dirty, you feel like you have Aids or have been raped because your whole body has been violated by this virus that you never wanted and didn't even know existed," she says.

Joanne, 38, suffers all the classic symptoms of Hepatitis C - fatigue, sore bones, depression, dry eyes. Rheumatoid arthritis is setting in and she is seeing a psychiatrist to help her with often severe bouts of depression.

She has inflammation of the liver but as yet has no traces of scarring or fibrosis. She expects they and cirrhosis will follow. She has one of the worst forms of the illness, which does not react to treatment.

"It is very difficult because we have seen how Bridget McCole died and we know that is down the road. You try not to think about it, but it is always in the back of your mind - that will be me."

"YOU HAVE good days when you are up and able to do things and then others when all you want to do is lie in bed. And the slightest little thing will trigger you. Any kind of kidding around and I can end up in tears for absolutely no reason."

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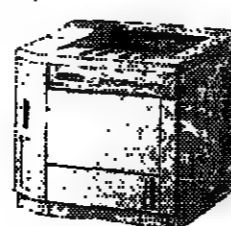
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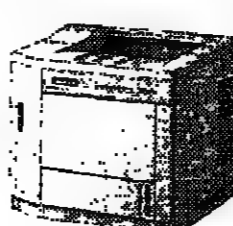
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From breeches to boxer shorts



Smouldering looks: Colin Firth set millions of hearts a-flutter with his portrayal of Mr Darcy in *Pride and Prejudice*

He has swapped his riding crop for a ticket to Arsenal in his latest role, yet Mr Darcy still haunts Colin Firth. Interview by Mary Riddell

How far can we get without a mention of Mr Darcy? I am bored with him. Colin Firth is no doubt also sick of the Moss Bros school of film criticism, in which success is ineluctably linked to the cut of one's breeches.

The answer is about two sentences. "I somehow feel I'll be pleasing nobody now," Firth says gloomily. "I've seen letters saying: Why is he doing a football film after *Pride and Prejudice*? Why can't he play Heathcliff? And then there will be some diehard Arsenal fans, asking: What's this snooty geezer doing representing us?"

Firth has notched up some work in the interim: notably the BBC dramatisation of Joseph Conrad's *Nostromo*, and *The English Patient*. But it is the contrast between the Darcy codpiece and the red boxer shorts (inscribed "Go! Go! Gunners") that he gets to wear in the film of Nick Hornby's *Fever Pitch* which provides the interesting leap forward.

Firth does not object to being portrayed in every interview as a sort of defibrillator to the romantic heart of the nation. It is just that such treatment misrepresents him.

He is in costume; the baggy sweatshirt and tracksuit trousers of those who inhabited the Arsenal North Bank. Or, conversely, the social science staffrooms of the new universities of Middle England, whose culture Firth seems more to represent.

Left unchecked, he has a fine line in waffle of an opaquely post-modern nature. "There seems to be a colossal self-loathing in this country; a sort of collective identity crisis. It's strange how other cultures can mythologise their present and we can't."

Scarcely textbook stuff for your average soccer oik, but — as Firth will tell you — it is dangerous to see masculinity as a set of assumptions. "There's this idea that if you like football, you also like beer and grabbing women's breasts. If you like rugby, you also like Dire Straits and wine. And if you don't like either, you must be a pacifist vegetarian who is oblivious to the charms of Michelle Pfeiffer."

The son of two university lecturers, Firth had "a lousy education" at an indifferent comprehensive and left drama school for a starring role in *Another Country*. "I just happened to have the right sort of appearance," he says.

In other words, the nascent Darcy was already being recognised. But although he continued to do fine work, his profile — before *Pride and Prejudice* — remained subterranean.

Early on, his life appeared to have achieved a sort of symmetry. A starring role, an affair (in several cases) with his

leading lady, followed by a bolt away from any limelight that might ensue. After Milos Forman's *Valmont*, he departed with his co-star, Meg Tilly, to live in the Canadian backwoods and bring up their son, Will, who is now six.

Much later, the adulation inspired by Darcy was heightened by stories of his relationship with Jennifer Ehle. Though the inaccuracies of the reporting irritated Firth, he regards such liaisons as a sort of occupational hazard.

"People fall in love with the people they meet. It's as simple as that. I don't think that actors have a greater predilection for bonking each other than any other group. I just think that your life is in upheaval. You're taken away from your established roots and put in intimate circumstances with someone. I suppose it makes that sort of thing more possible. It certainly doesn't happen to me all the time."

Particularly now that he is in love with

to leave him after he split up with Meg Tilly and returned to work in England? "I don't consider I have left him. I go away a lot, and I come back a lot. Of course, I wouldn't be seeing enough of him unless it was every day. And there are risks. There's a danger you become a sort of Santa Claus. You have to find enough normality as well — to give a child the chance to be bored with you, take you for granted and feel it's safe sometimes to reject you. I think about that a lot."

But then Firth thinks a lot about most things. I imagine that any interview with him follows a precise format. The polite, but wary, response to the questions. A quick sideswipe at the fabricators of the press. The bit with the tape recorder switched off, where he tells you how horrid it is to have one's love life laid bare.

And then, as he gets to know you, a long and cosy ramble through the world according to Firth.

He truly does not care for his looks or allure. The impact of those are assured. Instead he is eager to present himself as a Left-leaning, anti-public school, socially egalitarian liberal who ponders deeply on all sorts of difficult matters. A multi-faceted cosmopolitan, equally at home in Rome or Hackney, where he keeps a small flat. Hence his impatience with the two-dimensional Darcy caricature.

"All that smouldering. Lots of people told me not to do it and said everyone would get sick of me."

Of that, there is little risk. At the moment there is a surfeit of

Firth. There is the acclaimed *English Patient*, in which he plays a pilot cuckolded by Kristin Scott Thomas, and *Fever Pitch*, in which he plays Paul Ashworth, a comprehensive school teacher with an Arsenal fixation.

The part appeals to Firth as a suitable Darcy antidote. "It deals with all the contradictions about social perception. How can you occupy this man's world and have a relationship with a woman? How can you read Byron and follow Arsenal? Personalities are full of paradoxes and opposites."

Indeed, it does not seem kind to point out that the film contains so much Arsenal and so little Byron that one wonders how Ashworth's girlfriend, played by Ruth Gemmell, continues to tolerate such an inarticulate and monofocal yob.

Not that *Fever Pitch* fails. On the contrary, it succeeds quite well. But only because its female audience will suspend disbelief, gaze at the Firth legs (in breeches) as irresistible in blue jeans as in breeches and forgive any implausibilities.

Irritating as the Darcy hangover may be, it is not quite the headache it seems.

● *Fever Pitch* opens on April 4



Football mad: Firth and Ruth Gemmell in *Fever Pitch*

Livia Guiggioli, a 22-year-old English graduate, daughter of a Rome businessman and protected by Firth with the assiduousness of one who has seen his private life picked over too often before.

Firth's reluctance to discuss life beyond the film set has little to do with a superstar's preciousness.

Rather, he seems to have difficulty adapting to an existence with few threads to hold it together. "It seems very glamorous sometimes. Everyone's keen to make you comfortable and you don't feel you have the right to suffer in any way. But I've been itinerant for a number of years — going from mini-universe to mini-universe."

"Making a film is so self-contained that very little else enters your consciousness. Then it's over, and the chances are that you will never again see people who have become your entire existence. A certain amount of consistency is essential to anyone, and I have found it difficult being without that as time goes on."

Hence his protectiveness for his new girlfriend and the son he visits constantly in Los Angeles. Wasn't it a terrible wrench

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Shropshire lads turn on the Tories

Anthony Howard says defeat is possible even in Ludlow

In south Shropshire we started the election early. On Saturday, the small town of Bishop's Castle (all of 1,600 souls) was host to an old-fashioned "hustings" meeting modelled on the days when this tiny borough used in its own right to return two Members to Parliament. Although nowadays it represents no more than the western, Welsh-border corner of the far-flung Ludlow constituency, the whole occasion was carried off in some style. The town band led a procession headed by the Mayor and councillors — complete with macebearer — from Church Street up the High Street to the Assembly Room in the Three Tuns Inn. There were balloons and bunting, banners and rosettes and the sunny afternoon had a festive and jolly air.

Once the "free and independent electors" had crowded into the principal room of the local inn, however, that mood did not survive for long. The four prospective candidates — one from the Green Party, one Liberal Democrat, one Labour and the still sitting Conservative MP (since Parliament is only prorogued) — had barely taken their seats on the dais before the last of them intimated that he wanted to make "a brief personal statement".

The Prime Minister's announcement of the election date on the previous Monday had, he said, given him a problem. He had been advised that, if he took part in the meeting, it would inevitably mark the opening of his own campaign — which, for reasons connected with the rules for election expenses, he did not wish to launch until well into April. He therefore had no alternative but to "withdraw from this platform".

With the returning officer not yet in a position even to accept nominations, that could not help sounding like a pretty specious excuse. It was certainly received as such by the audience, who had hoped to hear from four candidates and found themselves forced to listen to only three. They took their revenge in the only way open to them. Christopher Gill, who has sat in the Commons for Ludlow since 1987, made his exit from the meeting to a chorus of catcalls and boos. It was about as bad an opening to his local campaign as the Conservatives last week endured nationally. What, then, made him do it?

One clue is probably to be found in his cur refusal to participate in an all-party meeting proposed for three days before polling by the Council of Churches in Ludlow. In turning down that invitation he had expressly cited his prior engagement to the town meeting gathering in Bishop's Castle, "which invited me first". When he wrote declining the Ludlow offer ten days ago, he can hardly have been unaware that an election was imminent: so what possible reason can there have been for his snubbing the other cheek of his own electors? The conclusion seems irresistible: in the last few days, even in such a Tory heartland as

Shropshire, a sitting Conservative MP has suddenly started to run distinctly scared.

At any other general election, a candidate such as Christopher Gill would have been considered to be in clover. In 1992 he enjoyed a majority of 14,152, nearly 2,500 more than he won in 1987. Perhaps even more satisfactorily from his point of view, it was a result won by surgically dividing the forces of his opponents down the middle. (His 1992 majority increased because the Liberal Democrat vote went down 1,000 while the Labour total increased by 4,000 — still, though, leaving Labour in third place.) In normal times such figures would be thought to guarantee an almost automatic return to Westminster. And, on any rational forecast, they still do.

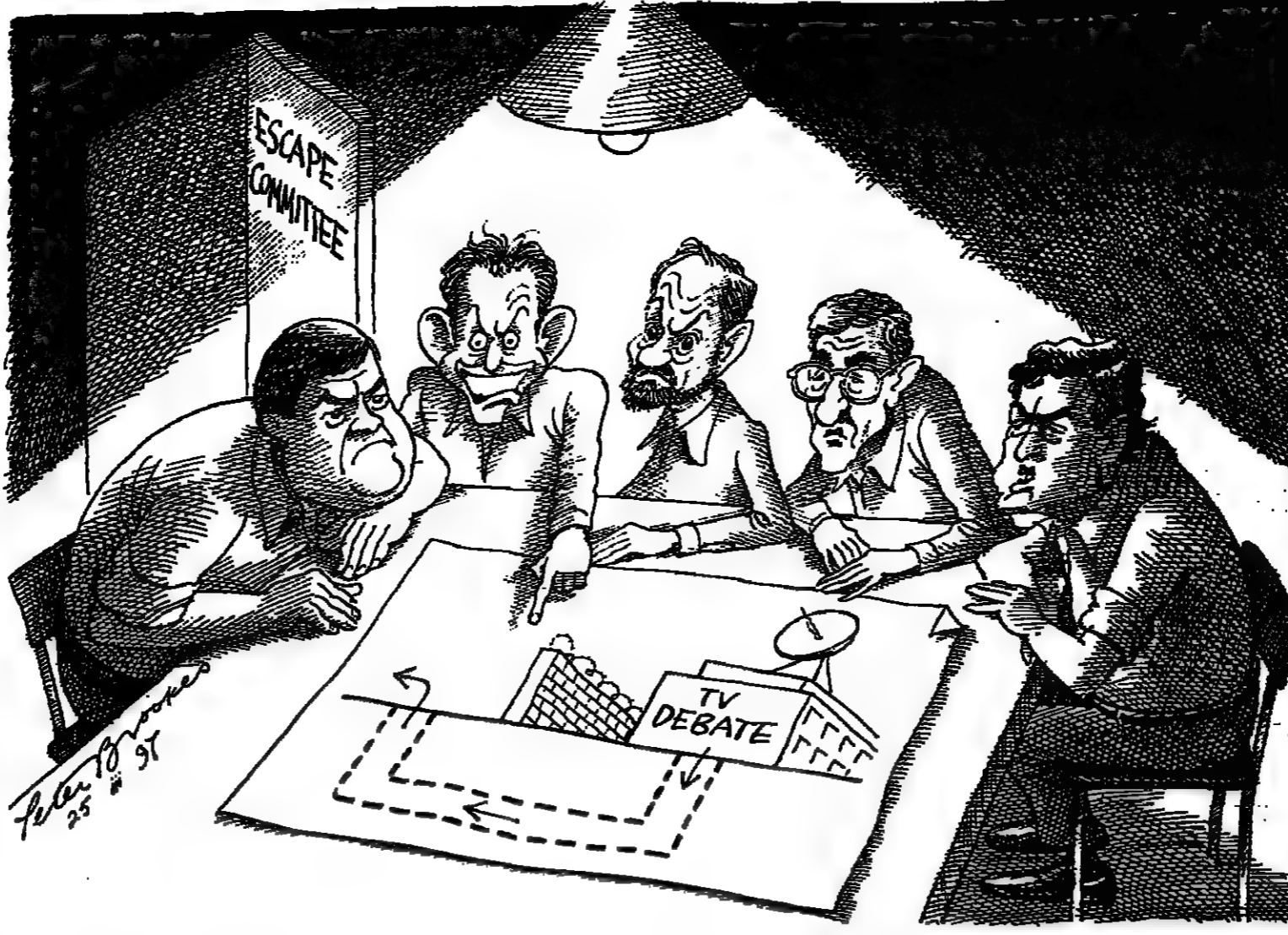
But Shropshire Tories are still reeling from their shock at losing the Hereford and Shropshire Euroseat to Labour in 1994. And if anything like the Wirral South by-election result of earlier this month were to be repeated on May 1 in Houseman country, even the bells of Ludlow Tower might be thought to be ringing out an entirely novel political chime.

To be blunt, achieving that does not look within the power of the Liberal Democrats. Unlike nearby Hereford (which has been a Liberal *provincia* accessit reaching back to the 1950s), Ludlow is not even a "target seat" for the Liberal Democrats: theirs is essentially a defensive battle to prevent their candidate sliding into third place.

The local Labour Party, on the other hand, appears full of zest and zeal. It has a first-class candidate in Nuala O'Kane, the appeals director for a Shropshire children's hospice, and it is fighting this election more professionally than any since Harold Wilson's second victory in 1966, when it came within 3,500 votes of the squirearchical Tory, Sir Jasper More.

As his behaviour last week-end testified, Mr Gill has never belonged to the *noblesse oblige* wing of his party. A meat-processor from Bridgnorth, he is an outspoken Eurosceptic who was temporarily deprived of the party whip over the Maastricht treaty. At that time there were rumours of trouble within his Association — particularly with the county gentry — and on Sunday he was the victim of a reiterated public vow on the part of one of his most celebrated constituents, Sir Julian Critchley (the retiring Tory MP for Aldershot), not to cast a vote for him. Still, he should not look beleaguered. Somehow, he does.

For the Tories to lose a seat like Ludlow would, of course, require an almost Canadian-style wipe-out for the party. Yet if that still remains inherently improbable, and if such a Conservative catastrophe were to occur, the hills of Shropshire would turn out to be "blue remembered" only in stable political history.



"RIGHT, LADS, THIS IS HOW WE GET OUT OF IT..."

Bridling our liberties

On country byways, an unwritten code is observed by walkers, riders and cyclists — but not by many off-road drivers

The daffodils are up, the hedges are growing fluffy, and if you crush the gorse you can suddenly smell summer. Some nights it is warm enough to admire Hale-Bopp for a full ten minutes without a coat on. High time, then, for every citizen to dust off John Stuart Mill's *On Liberty*. Only he can save us as the Easter exodus to the country gets under way. Wordsworth or Laurie Lee may set the mood, but Mill is fundamental.

He wrote: "The liberty of the individual must be thus far limited: he must not make himself a nuisance to other people." Perhaps the Millennium Commission should have those words carved into a million rustic planks and placed discreetly adjacent to every lane, track, footpath, bridleway, cycle-track, cliff-top, tow-path, beach, gate, stile and verge. Any spare planks could be posted — or thrown with some violence — in the general direction of the Ramblers Association, British Horse Society, Country Landowners Association, RSPB, and the governing bodies of every pastime involving off-road vehicles. It could also be engraved on dog identity tags, stamped into the bridles of horses and boxed in the corner of every Ordnance Survey map and tourist leaflet.

For this is a densely populated island, and being part of a dense population means that consideration — meek milkop, despised virtue — has to be second nature. If you want to be free as a hawk and beholden to no man, then walk to the South Pole. Take outdoor pleasure here, and you have no option but to accept the limitation of not being a pest.

What brings all this on is a small but curdling row sparked off by the Princess Royal in the current National Riding Week. Most of HRH's utterances have been sensible. Yes, horses are a treasureable part of national life. Yes, riding is a unique therapy and pastime for the disabled, a popular spectator sport and excellent for children. (Unless, of course, it makes them into grasping snobbish little brats; but horses do not achieve this unaided. It takes solid parental effort to produce a really nasty pony-child.)

The Princess does well to point out such things as the punitive rates levied on small riding schools. However, in an interview with her local paper, she incautiously bracketed together as threats to bridle-paths "off-road vehicles, scramblers and walkers".

Uproar. The Ramblers Association

demands an apology, commentators snarl that she has an atavistic horsey sense of superiority, and there is an upsurge of instant mutual hatred. These days Henry Higgins would observe that an Englishman need not even open his mouth to make another Englishman despise him: he has only to set foot in the countryside. In our pastoral idyll walkers find horsemen arrogant, riders reckon walkers are in the way, birdwatchers hate dog-owners. Moreover, fast riders hate slow bumbling ones, cyclists curse horse-dung on their tyres, doggy types lambast one another for poor

not think of your rights. You assess the opposition in a spirit of chivalry, the courtesy of the strong to the weak. Has he got an awkward trailer behind? Is the lady in the Lada too old to turn her head comfortably? Or is she young, with distracting children shrieking in the back seat? If so, even though the nearest passing place is farther from you than the opposition, you resignedly reverse a quarter of a mile along the twisting lane.

When you finally pass, each of you gravely raises a hand in salute. You are saluting not one another but the unwritten code that both have observed. The same quiet signal is exchanged when the tractor which has been making you miss your train for three miles of lumbering along a B-road, finally finds a spot to pull out of the way: when the cyclist lets you off your duty to trail behind him at 10mph by diving into the verge and stopping; when a driver has lagged prudently behind a nervous young horse and passed wide and slow. In coastal Suffolk, beyond the commuter belt, the code is remarkably intact. It is always a shock to drive into Kent and see how far the culture of hoot and swerve and V-sign has spread into the country lanes.

Such resigned chivalry applies equally to footpaths and bridleways. Riders shouldn't thunder round blind corners; dogs should come to heel when called; dreamy lovers and irritable old ladies should force themselves to smile upon shrieking toddlers who break the peace; parents should keep children off growing crops; farm gear and stock should be respected, but so should walkers. Shouting "Fascist" at a farmer is as pointless as a farmer's threatening one lot of rammers because another lot dropped litter. These things are obvious. We are all here, and interdependent. But the very obviousness of the

principle is the reason why at a certain point lines have to be drawn, before the whole fragile structure of mutual consideration breaks down. They always were — by law, even the most beloved and otherwise harmless dog is shot if it chases ewes and lambs. Now a new line is needed, because there is a new kind of path-user which of its nature cannot join in the game of showing consideration: the sporting motor vehicle.

Cars are bad enough on roads: abetted by planning which has unthinkingly given them precedence in both city and country, motor vehicles have shattered an ancient social balance based on eye-contact, smiles, scowls and instinctive empathy. Even a rider or cyclist, even the driver of a trap or an open-sided tractor, is close enough to the pedestrian to share some fellow-feeling. They all feel the rain on their neck and look one another in the eye. Even the haughtiest coachman could have his reins caught by an enraged parent whose child he threatened. A motorist, however chunky and safari-styled his four-wheel-drive vehicle, is unnaturally insulated from everybody else. He is comfortable and invulnerable in his steel box and a motorcyclist is almost equally isolated inside a thick helmet and a wall of growing sound.

On Tarmac lanes the motorised can just about live with the unmotorised, who can just about see the justice of giving them a share of the general consideration. Jolting and roaring on unmade tracks, they are an aberration, an invasion from another world, moving too fast to look back at the mud and ruts they leave. Mud and ruts, in any case, are part of their particular fun.

Their freedom, much touted by the off-road lobby, is no doubt exhilarating. The snag is that it is a nuisance to everybody else, asking no consideration and giving none. It is outside the magic circle of tolerance, and can be limited without anyone feeling guilty about doing so. Let them hire their own roads and stick to them.

The extraordinary thing about this society at present is that because we think so reverently of pleasure as part of freedom, we shrink from such obvious decisions. We tie ourselves in knots offsetting the personal choice of the off-roader against that of the walker as if they were equals. But they aren't equals, because they aren't an equal nuisance. It's as simple as that. Happy Easter.

Libby Purves

Comedy team

SCHOOLGIRL timers spread like chickenpox through Radio 4's *Today* programme yesterday morning after reporter Jonathan Burchill's dispatch about mercenaries in Papua New Guinea. He ended with a mention of the chap taking over the army, Jack Tuat.

Tuat was pronounced "Twat" by Burchill which, in the febrile pre-election atmosphere of the studio, convulsed the usually unflappable newsreader, Charlotte Green, into giggles.

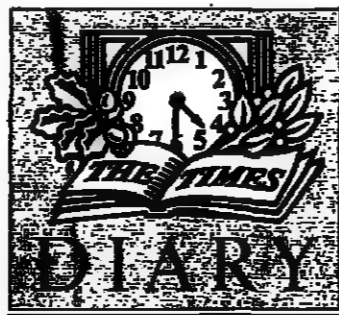
Her report on the sperm whale stranded in the Firth of Forth was in tatters by the time she passed the microphone over to Jim Naughtie for news of the tunnelling convicts at the Maze Prison in Northern Ireland.

Naughtie struggled on for a second, but even he succumbed when he saw fellow presenters stifling belly-laughs. Within seconds he had to apologise on air. "Excuse me," he wheezed in stitches before resuming his report and ending with an interview of the chairman of Northern Ireland's Prisoners' Association, a Mr Finlay Spratt. "And that was Mr Pratt," he said, "sorry, Mr Spratt."

By this stage, technicians and journalists were reportedly lying on their backs, tears in their eyes, begging Mr Naughtie to stop. Which, fortunately, he had.

Spotted

LADY and Barclay, Dalmatians belonging to the Duchess of York, appear to have been abandoned by their mistress. She has moved back into a corner of her ex-husband's



vast mansion Sunninghill, or "Southwick", near Ascot, leaving the dogs behind at Kingsbourne, the home she rented on the Wentworth Estate which is now for sale at £3 million.

Potential buyers will see their monogrammed bowls on the kitchen draining-board. The dogs seem to be looked after by a housekeeper who hides them out of harm's way in a downstairs room when showing the house.

Twinned with

ISLINGTON'S Labour council has just sent out this year's council tax demands, the second highest in the country after Liverpool, accompanied by a glossy wallchart detailing key council dates.

As if to tax the patience as well as the pockets of its residents, the

council has placed an advertisement in the middle of the planner for the "luxury 2-bed, 2-bathroom apartments in Florida's beautiful Benita Springs. Gateway to the Gulf of Mexico". Not what you want to look at when writing a giant cheque to the council.

Piece of cake

A REMINDER of home for Lord Brocket, who is idling in Ford Open Prison, will come next month in the form of a slice of cake from a party to be held at his former home Brocket Hall.

Plans are afoot for a belated 50th anniversary tea party at the hall for 600 East Enders, all of whom were born in the Grade I mansion when it was used to house an evacuated maternity home during the war. A slice of Victoria sponge is to be reserved for Brocket.

Best actress

SURPRISED delight — hands clasped over the mouth, popping eyes, a blushing concession speech etc — was the order of the day last month when Hillary Clinton won a Grammy Award in New York. The recording industry's answer to an Oscar was given to the First Lady for her reading of *It Takes a Village*.



Hillary: forewarned.

lage, the impeccably right-on book she allegedly wrote.

It turns out the surprise was a tad faked. As the *American Spectator* reports, Mrs Clinton knew all along that she was going to be the winner. In fact, she travelled up to New York only on the condition that she would win. Her office told the Grammy Awards organisers that "we don't want her to look like a loser on national TV", and back came the coded message from Manhattan to the White House that the evening, if Hills did attend, would "be a positive experience".

● A man who wrote a book on how to gatecrash big events was jailed for trying to sneak onto the site of the Academy Awards. Scott Kerman, 30, author of *All Sold Out: How to Sneak into Sporting Events and Concerts*, was apparently caught in the Shrine Auditorium lobby while a rehearsal was under way.

No flock

GILLIAN SHEPARD's election campaign has got black marks from the Association of Teachers and Lecturers. Yesterday the Education Secretary was accused of skiving.

The traditionally moderate teachers' union was told last week that Mrs Shepard was too poorly to attend their annual conference in Cardiff. The next day Mrs Shepard's own departmental press office said she had pulled out because of a "diary clash".

Her replacement, undersecretary Eric Forth, then explained that Mrs Shepard was required in London on "election standby". It was put to him that teachers have votes too, but Forth was dismissive: "So do millions of other people, you know."

Life after Labour's landslide

Perhaps we want real change, says

Anatole Kaletsky

A week of the campaign is over and there is no sign of any narrowing in the gulf between the parties, nor any reason, on the basis of the Tories' performance, to expect one. As John Major slips on his daily banana-skins and the Tories fail abjectly to benefit from the steady stream of good economic news, it is time to start thinking the unthinkable. Instead of an indecisive election with nothing much at issue, Britain may be about to experience a political earthquake of the kind that occurs only a few times every hundred years.

I have no idea whether Labour will actually win the majority of 150 or more implied by even a cautious reading of recent polls. But the possibility of Labour winning a huge majority — perhaps overshadowing even the post-war records achieved by Clement Attlee in 1945 and Margaret Thatcher in 1983 — can no longer be dismissed as absurd. Speculating on whether a landslide will actually happen is best left to the bookies, but it is worth considering what one might mean for British politics.

Last year I asked one of Tony Blair's closest advisers why new Labour had accepted so many of the changes made in Britain by Margaret Thatcher and bitterly opposed by true socialists.

"We understood after the last election that we must deal with Britain as it is," he replied. "This country is very individualistic and very Tory. No Labour government in history has ever served two consecutive full terms. The political landscape of Britain is not a social democratic landscape. It is not even a Christian democratic landscape. It is a Conservative landscape."

Would such humility outlast a Labour landslide and Tory rout? Political beancounters insist that it would: most Labour candidates are dedicated Blairites and the more new members are elected, the further the parliamentary party will swing to the right. But human nature suggests otherwise. People are not driven to join the Labour Party by a wish to behave like Tories. If Labour managed to win a majority bigger than the one Mrs Thatcher enjoyed at the pinnacle of her power, it would be natural to see it as a mandate from the people to undo the excesses of the Tory years.

Consider a single, defining issue: taxation and public spending. Mr Blair has promised not to raise income tax and VAT rates in the next Parliament, and on this we can be confident that he will not break his word. Gordon Brown has said he would stick to the Tories' ceilings for total government spending until April 1999. This promise, too, seems as solid as such things can be. But without violating either of these pledges there is plenty of scope for a new government to increase spending and taxation.

The best witness to that is Mr Major himself. Between 1990 and 1992 his Government increased public spending by 4 per cent of gross domestic product (equivalent to nearly £30 billion a year in today's money) in a vain attempt to make membership of the exchange-rate mechanism more palatable to the public. In the following three years he raised taxes by the same amount to pay for this excess — but without touching the marginal rates income tax. This record explains why the Tories are in such a weak position to attack Labour over taxes and spending. But it also shows how easily a Labour government could raise both taxes and public spending, if that were what it wanted, without breaking its election promises.

Why then should Labour keep squeezing public spending after the two years covered by Mr Brown's promises have expired? The pundits' standard answer is simple: "tax and spend" policies are politically suicidal and Mr Blair is determined to stay in power for more than one term.

But how do we know that higher taxes and public spending really are political hemlock? After all, whenever opinion polls ask whether voters would be willing to pay higher taxes for better public services the answer is a resounding "yes". Indeed, say the pundits, but these are just lies. Yet how do we know that people are lying to the pollsters about tax and spending? Because they keep voting Tory. Now there's the rub.

Suppose it turns out that this time voters have not been lying to the pollsters and Labour is elected by a huge margin. Would it still be rational to assume that replies to the pollsters' questions about tax and spending are just a pack of lies? It might be more logical to say that a landslide victory for Labour had been a turning point in the public's attitude to public finance. It might even be suggested that the British public was not quite so Conservative as Mr Blair's friend assumed.

And from that all sorts of inferences might follow. For politicians to respond to the will of the people is not just opportunism. It can also be called democracy. It can also be a landslide there will be no shortage of voices declaring that Mr Blair has a mandate, and indeed a democratic duty, to give people the radical change they clearly want.

P.H.S



MORAL OF THE MAZE

Republicans inevitably abuse democracy's freedoms

The discovery of an IRA attempt to tunnel out of the Maze prison is a tribute to the professionalism of one prison officer. But the escape route's existence is an unhappy reflection of the weakness of the Province's prison service. Paramilitary prisoners within Northern Ireland's prisons, particularly in the Maze, are given a degree of freedom beyond anything enjoyed by those convicted of comparably serious crimes in the rest of the United Kingdom. The inmates consider themselves prisoners of war and although their pretensions are not formally recognised they are, in practical terms, treated that way. Sensitive treatment of paramilitary prisoners is important for the peace process, but even more important is the security of Ulster's law-abiding citizens.

The tunnel out of the Maze was paved with this Government's good intentions. Its builders took advantage of the freedom the authorities allowed them to try to recapture the freedom that justice denied them. Within the Maze, paramilitary prisoners wear their own clothes and police their own blocks. In those wings where republican prisoners are housed authority is exercised through the IRA's own command structure. Prisoners come and go as they please within secure wings, their doors open 24 hours a day and surveillance more a matter of the electronic ear than the turnkey's tread.

The Government is prepared to reach an accommodation with prisoners' demands because it believes it necessary to prevent discontent arising within the communities from which the paramilitaries spring. It may be understandable that the Northern Ireland Office thinks it preferable to indulge republicans in jail rather than provoke those on the street; but there is a price to be paid. If they did not enjoy such autonomy the

prisoners would never have been able to come anywhere near escape. If the prisoners had broken free this Easter, then it would have handed the IRA a propaganda coup at the most significant time in their calendar. As it is, frustration at this failure may find another, even more dangerous, outlet.

The moral of the Maze goes beyond the need for stricter supervision of prisoners. It extends to the whole approach of British governments towards militant republicanism. It is enormously risky attempting to treat the IRA as anything other than a ruthless terrorist organisation determined to exploit democratic deficiencies in order to undermine democratic principles. The Maze tunnel shows that freedoms extended to paramilitaries in prison will inevitably be exploited, just as the freedoms extended to republicans after the IRA ceasefire were exploited to prepare for a resumption of armed struggle.

It is naturally tempting to deny liberties to an organisation determined to abuse them; but it would be playing the IRA's game to overreact. Republican prisoners and politicians should still be extended civilised treatment, but in both cases the authorities should be alert to the determination on the part of the IRA and Sinn Féin to abuse any privilege. That lesson will need to be borne in mind with particular force by the next government. If Sinn Féin win parliamentary seats at the general election it could try to tunnel a way to the table with another tactical ceasefire. In its desire to see the peace process move forward the next government may be tempted to accept any ceasefire as a ticket to talks. Unless republican good faith is proven with a verifiable rejection of violence then lasting peace, like the grounds of the Maze, will inevitably be undermined.

TALKS ABOUT TALKS

Formal debates would best serve the public interest

At the present rate our politicians will spend more time discussing how television debates might be organised than participating in them. At first it seemed that the Prime Minister would be the chief obstacle to their introduction. Whether out of a new enthusiasm for open government, or sheer electoral desperation, John Major belatedly brims with enthusiasm. It now appears that the Labour Party has rediscovered caution. Its negotiators have acquired a passion for the inclusion of Paddy Ashdown as well as for questions from the audience. The strong suspicion is that, with a 25-point lead, formalised debates would not suit Tony Blair's risk-averse strategy.

The Labour leader is, of course, more than entitled to negotiate over the rules of engagement. The Conservatives have exploited the eagerness of broadcasters to dominate deliberations. Arguments over detail, however, cannot be an excuse for sabotaging the entire enterprise. The size of one party's opinion poll advantage is irrelevant to the issue. Both main figures have endorsed the principle; their associates must ensure that they happen.

There are three main issues that the parties and television companies need to settle. Which leaders should participate? What part might an audience play? What is the moderator's role? The solutions should be determined not merely through partisan calculation or predicted entertainment but in the interest of the voters. In all cases the public would best be served by arrangements that most challenged the politicians.

As only Mr Major and Mr Blair are plausible contenders for Prime Minister, they must be the main focus of proceedings. There is merit in allowing Paddy Ashdown to be interviewed at length afterwards; but the Liberal leader is not an equal player on

this occasion. The suggestion that he might be placed between two parts of a Major-Blair debate, like the brass band at the Cup Final, would be little short of farcical. In Scotland, which has a distinctive politics of its own, there should be a supplementary programme featuring representatives of the four main parties.

Overseas experience would strongly suggest that the toughest and most relevant questions usually come from professional commentators. There is little point in holding a debate if it allows the shop-soiled soundbites to enjoy another outing. There will be numerous other opportunities on radio and television for voters to press their points on politicians directly. The objective should surely be to stimulate a real debate between the two participants rather than stage only a joint news conference.

Such engagement and interaction are only possible if run by a single moderator rather than a panel. That role would be, for the next few weeks, the most cherished in British television. Whoever is selected has to ask the leaders taxing questions, then fade into the background and let the two of them do battle. It will be a difficult but not impossible balance. If two or more debates take place, the moderator will have to ensure that the same subject matter is not repeated. Three reputations could be made or lost in the course of 90 minutes.

The purpose of debates is to allow the electorate to take stock of their prospective masters. The rules are only significant in so far as they impact on that objective. A simple but formal format would allow the best comparison between the two contenders. The central function of democracy has always been to let the people speak. In this election that process would be helped if debates let the people see and listen.

ROCK OF THEN AND NOW

What if Franco had attacked Gibraltar?

Of all the great dictators, Franco remains the most enigmatic. Even his peers were foxed. Hitler detested him; Mussolini distrusted him; but the Caudillo outlived them both by 30 years. He survived, of course, because he resisted pressure to join the Axis powers. Though he later sent a corps of Spanish "volunteers" to fight on the Russian front, Franco refused to declare war on Britain. His meeting with Hitler after the fall of France was a flop for the Führer.

A decade ago the historian Hugh Trevor-Roper wrote a brilliant article for *Encounter* magazine about one of the most fascinating counterfactuals (or "what ifs") of modern history. If Franco had yielded to Hitler's blandishments and had cut off British supplies via the strait of Gibraltar, the Nazis would soon have captured Egypt, the Nazis would have gained access to Middle Eastern oil, and Churchill would have been forced to sue for peace. The Axis could then have turned on Russia without the need to guard its western or southern flanks, and would probably have made short work of Stalin. Hitler would have had Europe at his feet.

Thus the fate of Britain, and of the free world, depended on possession of Gibraltar. Now it emerges that Spain did indeed have designs upon the Rock. Plan G, a secret scheme to capture the British colony, was presented to Franco soon after Britain and France declared war on Germany in 1939. Victorious in the Civil War, Franco's veterans were unwilling to demobilise. They saw the reconquista of the Rock as a chance

to wipe out old ignominy; they cast covetous eyes on French colonies; and fanatical falangists would have liked a chance to share in a pan-European fascist crusade.

Why did Franco turn down the plan? He weighed it carefully: even in the "phony war" before April 1940, and certainly later, Britain could ill have spared forces to defend the Rock. Yet a Spanish victory was not certain and would certainly have brought reprisals. The Spanish mainland was vulnerable to aerial, the Canary Islands to naval bombardment. Indeed, Churchill secretly warned Franco of the consequences if Gibraltar were attacked. Churchill was serious about the Mediterranean: he did not shrink from sinking the French fleet in July 1940. Mussolini's African and Balkan fiascos vindicated Franco's caution; the Caudillo knew modern warfare as the Duce did not.

Something else may have stayed the Generalissimo's hand. The Peninsula War is deeply etched into Spanish consciousness, not least by Goya. Even Franco may have quailed at the prospect of plunging his ravaged country into a repetition of that six-year ordeal — and with the British this time against him. For whatever reason, his suspicion of the anti-British alliance of Germany, Italy and Vichy France was wise. Gibraltar is now self-governing, and no longer of such strategic importance. Democratic Spain may dismiss the episode as history. But for Spanish nationalists who support. But for Spanish nationalists who support. But for the British will abandon the Gibraltarians, it remains relevant to this day.

Warnings on 'tinkering' with composition of the Lords

From Lord Skidelsky, FBA

Sir, The principle underlying Tessa Blackstone's attack on hereditary membership of the House of Lords ("Labour won't pack the Lords", March 21) is that it is "scarcely defensible" for peers (as it would be for members of football teams) to be where they are "merely by virtue of their birth".

Why? The object of any system of selection is to get the best people available into jobs. Birth is a method of selection. If it carries with it a training, an attitude to duty and other relevant qualities, there is no reason to exclude it *a priori* as a test of fitness to occupy any position. The genius of our constitution has been precisely to preserve a modest place for the hereditary principle — and with it an irreplaceable piece of history — in a modern system of representative democracy.

The only problem with the Lords worth anyone's serious attention is the historical imbalance between Conservative and non-Conservative hereditary peers. The easiest way of overcoming this would be for the whole body of hereditary peers to elect some of their number to represent them in the Upper House, in such proportions as to deny Conservative peers as a whole an inbuilt majority.

Elected peers could be christened "Peers of Parliament" if that were desired. Such a system would achieve what Lady Blackstone claims she wants: removing hereditary peers' "automatic right to sit in the Upper House".

This would surely be a much more sensible reform than removing the right of all hereditary peers to attend, and then wondering what to do next.

Yours faithfully,
ROBERT SKIDELSKY,
House of Lords,
March 21.

From Mr T. Bottomley

Sir, In seeking to justify the manageability of the proposed limited reform of the Lords Baroness Blackstone uses the familiar adjective "short" to describe a Bill which is intended to describe hereditary peers. But will not another short Bill be required to enfranchise dispossessed peers as new electors for the Commons?

Abandoned children

From Mr George Plint

Sir, I have long suspected that history will view the process of transfer of Hong Kong to Chinese sovereignty as one of the shabbiest episodes of Britain's late colonial period, but I had not expected the potential for human tragedy to be turned into such reality before the end of British administration. Your report (March 17) of the handicapped children abandoned by emigrant parents is truly distressing. The burden of shame falls on the nominal caring societies of the destination countries, who discriminate openly against handicapped people in immigration policy.

These innocents have truly been sacrificed. I do not know China's record for care of the handicapped, but if it is any way equivalent to that of the former Soviet Union and Eastern bloc countries, then the future for these children and adults, without their families for support, is bleak.

The last, perhaps redeeming act of the British administration in Hong Kong, must be to put in place means to guarantee the future of those who cannot look after themselves. Surely we and the governments of the other destination countries, Australia, New Zealand, Canada and the US, are big enough and rich enough to allow handicapped children and adults to join their families.

Yours faithfully,
GEORGE PLINT,
Woodham House,
Whitway, Newbury, Berkshire,
March 18.

Funding for Tube

From Mr Wyndham Thomas

Sir, May I remind your correspondents from London First, who deplore the reduction in the Government's annual grant for repair and improvement of the Underground system (letter, March 17), of some of the costs already incurred or projected.

In 1992 the cost of the Jubilee Line, currently under construction, was estimated to be £1.6 billion; it is expected now to be £2.5 billion. CrossRail, now on hold, was forecast in 1994 to cost £2.7 billion; if built, and on all the hard evidence now available, it would cost close to £4 billion. Meanwhile, London Transport is seeking £900 million a year for ten years to modernise the entire system.

In aggregate these costs are huge — around £15 billion over ten years. This level of public subsidy was never supportable. The only practicable policy is to concentrate all available investment on the modernisation programme. This would benefit all London's travellers, enhance London's international appeal, and provide best value for public money.

Yours faithfully,
WYNDHAM THOMAS,
8 Westwood Park Road,
Peterborough, Cambridgeshire,
March 17.

Letters for publication may be faxed to 0171-782 5046.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Then there is the nonsense about a proposal to "consult" crossbench peers about replenishing their numbers, recognition perhaps of them as the "Independent Party". What about other "parties" which may be represented in the Commons? If, after the election, Mr Benn and Mr Skinner, for example, were to decline the Labour Whip and sit as "Socialists" would they be entitled to nominate Mr Scargill as their representative life peer? I am all for Lords reform but let it be sensible. Unhappily, far too many of Lady Blackstone's comments smack of half-baked, academic and simply ideological proposals. Not a portent, we must devoutly hope.

Yours faithfully,
T. BOTTOMLEY,
23 The Mews,
Norton Hall Farm,
Letchworth, Hertfordshire,
March 21.

From Lord Cavendish of Furness

Sir, Even if I might have difficulty in mounting a convincing case for the hereditary principle, as a Conservative life peer, I value and admire the contribution that hereditary peers of all parties make to the work of the House of Lords.

What is deplorable about Labour's proposals is that so little thought has been given to their consequences, and none to the likely composition of a future House of Lords. Lady Blackstone is very clever, but is she wise? Especially it is wise to require a revising chamber to be "more democratic and representative".

The House of Lords works precisely because it has so little power and because party whips have no sanctions, leaving peers largely free to follow their consciences. If democracy is a good thing, it does not follow that more democracy is a better thing, especially when it is booted onto an institution whose limited powers are not in need of curbing. A democratically elected second chamber would be ravenous for power and would find itself either in bitter conflict with the House of Commons or worse, colluding with it.

Such are the pressures on Members of Parliament, it becomes ever harder to find an MP who has had anything approaching a normal career outside

politics. By contrast, the Upper House fields people of real experience in every walk of life. Furthermore, since a peer dies and is replaced roughly every 14 days, the institution is in a permanent state of evolution. Lady Blackstone is wrong in her assessment; the House of Commons becomes progressively less representative; the House of Lords more so. If, as may be the case, the whole machinery of government needs overhauling, then let that interesting debate begin. Meanwhile, it is hard to see how creating new assemblies or piecemeal tinkering with existing ones can possibly lead to better government.

Yours faithfully,
CAVENDISH,
House of Lords,
March 23.

From Viscount Mountgarret

Sir, Your report (March 19) that the Prime Minister may have the intention only to offer life peerages to those senior members of the Cabinet or former members who are likely to vote for the party, seemingly regardless of the argument, is of concern. If this is a principle which the Prime Minister hopes "will become the norm", then it would seem that the provision of the Life Peerages Act is being used to put "placement" in their Lordships' House merely as "cannon fodder" in the voting lobbies.

The strength of their Lordships' House lies in its independence of mind and spirit and there would be few who would wish to see a move away from that principle. The hereditary peers broadly provide that independence. "Placemen" from the Conservative Party, or any other party, will not.

To maintain a proper balance between the parties in the House it is of course necessary to be generous with the appointment of life peerages to the Labour and Liberal parties, but the Conservative Party should surely be careful in its nominations so that life peerages be appointed solely on merit and not on voting intentions.

Yours faithfully,
MOUNTGARRET,
House of Lords,
March 23.

critic, author Wole Soyinka, and 11 other democrats. They might also consider the fate of the winner of the last presidential elections, Moshood Abiola, accused of treason and incarcerated for almost three years without trial.

General Abacha has continually denied open access to human rights investigation from both the Commonwealth and the United Nations. Is it not clear to all that Nigeria has something to hide? It is to Canada, apparently.

Yours faithfully,
TOM ROBBINS
(Personal aside to Moshood Abiola in UK),
3 Norton Hall Lane,
Norton Canes, Staffordshire,
March 17.

Nigerian human rights

From Mr I. T. Robbins

Sir, The Canadian Government's decision to suspend diplomatic relations with Nigeria (report, March 14) and to recall its High Commissioner gives one hope that at least one member of the Commonwealth is not prepared to accept the increasingly arrogant posturing of this brutal illegal military regime.

Those observers who point to the fictional local elections that took place on March 15 as firm evidence of General Abacha's commitment to a return to democracy should consider the actions of two days earlier when this "progressive" cabal filed treason charges against probably its most notable

Trial by jury

From Mr Michael Gould

Sir, It is well established that the majority of magistrates are drawn from the professional and business classes and that ethnic minorities are under-represented. Given the backlog of most defendants in the magistrates' courts it is doubtful the magistrates are "dealing with their peers" as Mrs J. Melrose, JP, asserts (letter, March 15).

Magistrates are appointed by the Lord Chancellor on the advice of local advisory committees, the majority of whose members are in fact serving magistrates: this helps to explain and perpetuate the unrepresentative nature of the magistracy. Their training

is minimal and the vast majority of defendants appearing before them for trial plead guilty — a factor which can hardly be conducive to maintaining an open mind toward those who do not plead guilty.

The criminal justice system at present depends on the unselfishness of an unpaid magistracy. However, if your report, possibly your job, future job prospects and liberty were on the line, by whom would you prefer trial — a bench of magistrates or a jury of your peers?

Yours sincerely,
M. GOULD
(Senior Lecturer, Law School),
Staffordshire University,
Leek Road,
Stoke-on-Trent, Staffordshire,
March 17.

Bit of a mix-up

From Mr James S. Argles

Sir, Mrs Pamela Morgan (letter, March 19) should perhaps recall Luis Buñuel's retort: "Thanks to God, I am still an atheist." For myself, as a devout atheist, I prefer John Bunch's quip, that "An atheist is a man who has no invisible means of support".

Yours faithfully,
JAMES S. ARGLES,
41 Park House,
314-322 Seven Sisters Road, N4,
March 19.

Child Support Agency

From Mr Christopher Nelms

Sir, "The role of the CSA is to take lone parents, predominantly mothers, off benefit by making absent parents pay maintenance for their offspring" (report, March 20).

According to its 1996 Annual Report, last year the CSA recovered £300 million in maintenance payments, but spent £200 million in running costs.

Is there no more efficient way of saving taxpayers' money?

Yours faithfully,
C. A. NELMS,
3 Romney Drive,
Bromley, Kent,
March 21.

Business letters, page 31

Reconstruction of Elgar's last notes

From Mr Michael De-la-Noy

Sir, I read Richard Morrison's cogently argued attack on plans to reconstruct Elgar's projected 3rd symphony with much sympathy ("Don't tinker with Elgar's last notes", Arts, March 22).

In 1933 the music critic Basil Maine went to see Elgar, shortly before the composer's death, and in 1945 he wrote (*Basil Maine on Music*, West-house, 1945).

When he played parts of the work to me on the piano he relied partly on the sketches (so disjointed and disordered as to be a kind of jigsaw puzzle), partly on memory, partly I imagine on extemporisation. During the improvisation (or memorisation) passages, it was possible to think that one was beginning to share Elgar's vision, but the experience was so clouded and so fleeting that it could not possibly be re-created by means of the sketches alone.

So what has changed over the past 64 years?

Yours faithfully,
MICHAEL DE-LA-NOY
(Author, *Elgar: The Man*,
Allen Lane, 1983),
c/o Scott Ferris Associates,
15 Gledhow Gardens, SW5,
March 24.

Bartók in London

From Mr George Barbour

Sir, English Heritage has today unveiled a blue plaque outside 7 Sydney Place, SW7, stating "BÉLA BARTÓK, Hungarian Composer, stayed here when performing in London".

Bartók never lived in London. He merely visited occasionally for a few days at a time. Are we now to expect English Heritage to mount plaques outside hotel rooms once briefly occupied by distinguished visitors?

Yours sincerely,
GEORGE BARBOUR,
55 Onslow Square, SW7,
March 22.

Preserving archives

From Professor Sir Graham Hills

Sir, Dr J. P. Fox's plea (letter, March 20) for more paper mountains in the Public Record Office will I hope fall on deaf ears. The needs of archivists and historians are important to them but surely to no one else.

The burden of history is already heavy. It grows by the hour and with it the temptation to find wisdom and insights only in the actions and words of our predecessors.

Surely it is time for us to remain as much as possible of the minutiae of the past, to think for ourselves and thus to confront the challenges of the present with the intelligence of the present.

Yours faithfully,
GRAHAM HILLS,
Sunnyside of Threepwood,
Lough Threepwood, Belfah, Ayrshire,
March 22.

Yes, we have none

From the Reverend Roger J. Parsons

Sir, The reappearance of bananas after the Second World War taught me an early and memorable lesson on the unreliability of grown-ups.

I was five years old when given my first and much-heralded banana, free courtesy of Mr Atlee's Government (report, March 19; letter, March 21). I thought it was pretty horrible and that the adults were mad to have been so eager to have bananas back again when the war was over, especially since so much lovely English fruit had continued to be readily available. I still cannot understand the attraction of bananas and I shall now defy the trend by continuing to prefer apples, especially the unparalleled English varieties.

Come to think of it though, if bananas are so popular, perhaps another quick government handout before the election might do wonders for Mr Major. This time I shall of course decline my free banana. Anyone else want it?

Yours faithfully,
ROGER J. PARSONS,
37 Southcliff Park,
Clacton-on-Sea, Essex,
March 23.

From Mr John Dee

Sir, According to your Agriculture Correspondent's report on the popularity of banana eating, my wife and I — living in Lincolnshire and Middlesex respectively at the time of the Second World War — should both have received a free one from the Atlee Government. We did not do so.

If Mr Blair forms the next government can we expect the omission to be rectified?

Yours faithfully,
JOHN DEE,
Fairlawns, Little Cawthorpe,
Louth, Lincolnshire,
March 24.

From Mrs Norma Osmond

Sir, Another good thing about eating a banana — one doesn't have to peel off a tenacious sticker from an unwashed skin, which once unleashed sticks to everything it shouldn't.

Yours faithfully,
NORMA OSMOND,
Sylvans, Tilford Road,
Farnham, Surrey,
March 21.

OBITUARIES

KENNETH DICK

Kenneth Dick, CBE, accountant and businessman, died on March 16 aged 83. He was born on April 5, 1913.

An accountant by training but a merchant adventurer by instinct, Kenneth Dick for many years ran the Mitchell Cots Group. A trading concern with extensive interests in Africa, particularly in Ethiopia, it was administered under Dick's guiding hand with great success. His experience in promoting business in the Third World admirably qualified him for his membership of the Commonwealth Development Corporation, on which he served from 1967 to 1980.

John Kenneth Dick was the son of John Dick, a manufacturing chemist, and his wife May. He was educated at Sedburgh, where he was captain of the 1st XI, and renowned as a slow left-arm spin bowler. He qualified as an accountant with Mann, Judd and Company in 1936. Ill-health prevented him from joining the Armed Forces during the Second World War but he served as a firefighter in the City of London.

He became a partner in Mann, Judd in 1947, practising as an accountant there until 1957. A highlight of this time was the five days he spent in the witness box as an expert witness for the Crown in *R v Nunnery*, a case in which Nunnery were challenging the amount of a compensation offer made by the National Coal Board. He never forgot his examination by Sir Hartley Shawcross, who was appearing for the Crown.

In 1957 he was recruited to the Mitchell Cots Group as a managing director; he remained as managing director until 1978, becoming also deputy chairman in 1964 and chairman in 1969.

Through the company's commercial links with Ethiopia he became an unofficial adviser and personal friend of Emperor Haile Selassie and his family, to whose memory he remained loyal to the end of his life.

On his retirement from Mitchell Cots in 1978 Dick was appointed a non-executive director of N. M. Rothschild & Sons, which remained the base and focus of his activity for the next 12 years. He contributed to the development of Rothschild's leasing business and chaired the Rothschild Group's venture capital company.

In 1981 the then Lord Rothschild established Biotechnology Investments Limited (BIL), an offshore investment company specialising in investment in early-stage biotechnology companies. Dick acted as an unofficial adviser to Lord Rothschild, who was chairman of the company, and was himself appointed deputy chairman in 1985. In 1990 he retired as a director of Rothschild and of BIL, but continued to serve as a financial consultant to the board of BIL for the rest of his life.

He was chairman of Hume Holdings from 1975 to 1980. He also served from 1986 to 1996 as a director of Tiphook, in the restructuring of which his wisdom and experience enabled him to play an important and creative part.

Dick's experience in developing countries and in the Middle East and Africa made him much in demand as a member of public bodies and committees active in those fields: in addition to his membership of the Commonwealth Development Corporation, he served on the British National Export Committee, 1968-71, and on the Committee for Middle East Trade (of which he was chairman, 1968-71). He was an officer of the Middle East Association (serving as its president, 1976-81), and, nearer home, was a member



of the Covent Garden Market Authority from 1976 to 1982. His services to exports were recognised by his appointment as CBE in 1972.

In the last part of his life as chairman of the Cobham Mill Preservation Trust he and his wife played leading parts in

the restoration and reactivation of the water mill in his home town of Cobham in Surrey. Without his leadership, commitment, determination, vigour and practical good sense, this restoration might well have proved impossible to accomplish. He

was particularly proud on the day that the mill ground its first corn for many years.

Kenneth Dick was much more than a highly skilled accountant and shrewd financial analyst — though he was certainly those. He was an able and effective manager: a

strong practical streak, allied with his balance sheet acumen, his native wisdom and his long experience, helped him to address situations where management change was needed, with clear and far-sighted judgment. Furthermore, his ingenuity and flexibility of mind enabled him thereafter to devise and carry through effective solutions to management and other problems.

He set himself high standards of industriousness, performance and integrity, and expected others to work to the same standards. He was a shrewd, if sometimes acerbic, judge of people. His views were always clear, and always trenchantly expressed, and would invariably be listened to with respect, even by those who might not be in agreement with them.

He brought to all he did a great seriousness of purpose, leavened with zest and a sense of fun. In later years he was indomitable in the face of increasing physical frailty, and continued with undiminished vigour to enjoy the use and active employment of all his mental and intellectual facilities unimpaired to the end of his life. He stood high in the respect and affection of his many friends and colleagues, who never ceased to enjoy, and benefit from, his company.

He was a keen golfer. When asked about his handicap, he replied with characteristic modesty: "I don't have one." In fact, he played from scratch, and became captain and later chairman of St George's Hill Golf Club at Weybridge.

In 1942, Dick married Pamela Salmon, the daughter of Maurice and Katie Salmon. She supported him with devotion through his long and active life, even acting as what he called "my unpaid secretary" in his last years when he was working from home. She survives him, with two of their three sons.

MILES GOSLING

Captain Miles Gosling, former chairman of Cheltenham Racecourse and Master of Bicester Hunt, died of cancer on February 23 aged 69. He was born on October 23, 1927.

CHAIRMAN of Cheltenham Racecourse for 13 years, Miles Gosling was a horseman through and through. In his youth he had ridden 15 winners under National Hunt Rules and on one occasion even had a ride in the Grand National. But he was equally at home in the hunting field, serving as Master of the Bicester for nine years and making it his practice to ride twice a week to hounds.

If his way of life might seem to belong to a lost world, then at least it was one into which Miles Gosling had been born. The son of an Oxfordshire landowner (who died when he was 11), he went to school at Eton, where he was Master of the Beagles, before joining the 11th Hussars, the cavalry regiment that had been commanded in the early years of the war by his stepfather, John Combe.

He served with the 11th Hussars for five years, mostly in Germany and it was there that he initially developed his skill as a horseman. Before leaving the Army he took up a post in 1951 as ADC to a fellow Hussar, Lieutenant-General Sir Willoughby Norrie, the Governor of South Australia.

Leaving the Army as a captain in 1952, Gosling returned to take over the family home at Stratton Audley in Oxfordshire. There was a large farm to manage and he soon became fascinated by farming. He was appointed a JP at a remarkably early age and continued as one for the next 35 years. In 1970 he was High Sheriff of Oxfordshire.

His interest in racing was there from the start. When he became too old to ride himself, he continued to own a number

of good horses. In 1965 he became a member of the National Hunt Committee and in 1975 was chosen to be Deputy Senior Steward of the Jockey Club for three years. He will best be remembered, however, as chairman of Cheltenham Racecourse, and it was during the time that he held this position that the major developments of the stands and paddock took place. At the same time he took a personal interest in all who worked in racing.

Cheltenham was his love and it is largely thanks to



Miles Gosling's energies that today the three days of the National Hunt Festival produce the best competitive racing of the National Hunt Season. In 1990 he accepted the chairmanship of the Racecourse Holdings Trust, which had been set up to own and manage a number of racecourses, and had been passed over to the Jockey Club. He was still chairman during the successful takeover of United Racecourses (the owners of Epsom, Sandown and Kempton), though his illness had started to take hold. He spared himself nothing in visiting the smaller racecourses in the group, and getting to know those who ran them.

In 1963 Miles married Elizabeth Marler, by whom he had three daughters. His wife and daughters survive him.

CHARLES DYSON

Charles Dyson, American entrepreneur, died on March 14 aged 87. He was born on August 2, 1909.

CHARLES DYSON was a pioneer in the field of leveraged buy-outs. The self-made son of a Yorkshireman, he profited from the postwar boom in the American economy and became one of New York's richest businessmen. He believed in the private making and private giving of money, but his free-market philosophy was tempered by a desire to see government do its job properly.

His outspokenness brought him to national prominence in 1973, when President Nixon's notorious "enemies list" of political opponents was leaked to the public. Mostly Nixon had targeted Hollywood stars and other semi-public figures. Charles Dyson, fifth from the top of the list, was one of the few businessmen.

Like most Americans, Dyson was a "hawk" at the start of the Vietnam War, but had reversed his position by the late 1960s, when he saw how poorly it was being prosecuted. His inclusion on Nixon's list was probably the result of his involvement with both the liberal-leaning Lyndon Johnson's former Secretary of Health, Education and Welfare. He regarded his inclusion on the Nixon list as "an endorsement of good standards".

Charles Henry Dyson was the son of a Yorkshire carpenter who had settled in New Jersey. His mother worked as a cinema projectionist, and Dyson was educated at local schools. His mathematics teacher, seeing that the boy was good at figures, suggested he try accountancy as a career. Dyson took his degree from

Pace University in New York and joined the accounting firm of Price, Waterhouse. During the Second World War he assisted in designing the Lend-Lease Act and attended the first IMF conference at Bretton Woods. As a colonel in the US Air Force, he toiled behind his "mahogany bomb" establishing procurement practices for aircraft.

Afterwards he became an executive at Burlington Mills, and when he was sacked from there decided never to work for anyone else again. He set up his own company, Dyson-Kissner-Moran, in 1954, and bought his first company that year with \$10,000 of his own money and \$5 million loaned from the bank. This was his first leveraged buy-out — a matter of necessity, rather than philosophy, because he had no money. Countless more followed. The company became one of the nation's largest privately owned companies. Several of his businesses were based in Britain, as a result of which he was appointed an honorary CBE in 1980.

Dyson continued to work until a few weeks before his death. Although he enjoyed visiting his country houses in upstate New York and Barbados, he never lost sight of the value of money and he resisted the ostentation of some of his East Coast neighbours. His children, who were all educated at local schools, were each taken to visit Yorkshire as a 21st birthday present. On the other hand, he gave a great deal of money away to universities, hospitals and to individual students in the form of grants.

His first wife Margaret died in 1990 after nearly fifty years of marriage. He is survived by his second wife June and by three sons and a daughter from the first marriage.

THE REV DAVID HOY

The Rev David Hoy, 51, priest, died on March 16 aged 84. He was born on March 1, 1915.

IN HIS 31 years as a Jesuit priest, Father David Hoy held a succession of important posts in the Society of Jesus. He made a particularly notable contribution to Catholic education, succeeding Heythrop theologian (now part of London University) through different times, and serving two terms as Rector of Stonyhurst, the Jesuits' flagship school in Lancashire. Hoy was a kind of all-rounder, expert on, as a teenager he had a passionate desire to be a priest, and the thrill he felt on becoming one, after the Jesuit's usual 13 years of training, never left him.

Tall, but with a slight stoop brought on by illness, and with a shock of thick dark hair that greyed over the years, he was a quiet, reflective man, not talkative, but always ready with a well-turned phrase after others had had their say. Well-read and cultured, he was a good preacher (though some thought him too clever, too polished), and he was regarded by his fellow priests as probably the best after-dinner speaker in a society known for its good talkers. For all his gravitas, he had a puckish sense of humour. He was very good with people.

Augustine David Joseph Hoy was born in Bayswater; his father had a family building business. His education began at Cardinal Vaughan School and from there he went

on as a boarder to Mount St Mary's, the Jesuit college at Sheffield. He began his training for the priesthood at Roehampton, going on to Heythrop for advanced studies in philosophy and theology before being ordained at Farm Street Church in Mayfair.

After ordination, he spent a year teaching English in a Jesuit college in Malta. Then he went as senior English master to Wimbledon College, where he also taught classics and eventually became assistant headmaster.

In 1959, however, a letter arrived for him in the post with totally unexpected contents. He used to muse about it in later life: "second delivery, a scruffy envelope, obviously got caught up in the postal machinery, telling me I was to



become rector of Heythrop. Nowadays there would be discernments, interviews and all the rest over weeks, months ... time, perhaps for escape!"

Heythrop would, normally, be considered a plum job. Not then, however, for these were difficult years in the Roman Catholic church. Pope John XXIII had taken over the See of Peter the previous year. Rome was buzzing with talk of change and modernisation, "opening a window" as the Pope put it. But the Second Vatican Council had yet to start.

Students for the priesthood were restless everywhere, full of their own ideas, anxious that change should not be delayed. Heythrop was no exception. It was not easy for the new rector but, with robust support from his deputy, Father Philip Wetz, SJ, the situation was kept under control until Rome decided.

By 1964, changes in the Church and its time-honoured liturgy divided many parishes into two camps. Hoy was given another problem assignment. He was sent as rector to Stonyhurst, the important Jesuit boarding school in Lancashire. Another college, Beaumont in Berkshire, had suddenly closed, and there were fears for Stonyhurst, too. There was a shortage of the young Jesuit priests who had formed the basis of the teaching faculty in the past. School facilities needed updating, roofs repairing and there was much else to be done.

The building costs were £600,000, an enormous sum in those days. Things were so urgent that Hoy decided to go ahead without delay, even though all the money had yet to be raised. The debt was paid off in under five years, mostly by voluntary contributions. Supported by the headmaster, the Rev George Earle, SJ, lay staff were appointed in significant numbers for the first time.

Hoy decided that Stony-

hurst should have its own board of governors and cast his net wide. Among those invited to join was Abbot Basil Hume, now Cardinal Hume, Archbishop of Westminster, at the time at Ampleforth, the Benedictines' successful school in Yorkshire, whose acceptance brought Hoy particular pleasure.

The rector told the new board that it would "have to take a strong line, otherwise there will be no Stonyhurst". Hoy spent almost seven years at Stonyhurst, and was then invited back for a further four in 1980, making him the longest-serving rector in living memory.

In the 1970s Hoy spent three years in another important post, as superior of the Jesuits' community at Farm Street in Mayfair. There, and in his later work as treasurer of the English Province of the Jesuits and Revisor Arcarum, the ombudsman overseeing the books and identifying over- or under-spending throughout the whole of the English province, his uncommon abundance of common sense stood him in good stead.

His last posting, at the age of 71 and until his death, was as superior to the community at Beaumont Preparatory School in Berkshire. Teaching classics there at the age of 79, he was delighted to be given a glowing report by a government schools inspector.

Hoy was in poor health for much of his life. At 39 he was struck down with tuberculosis, and a year later lost a lung. Later he had suffered for several years from glaucoma and by the time of his death was completely blind in one eye. Nevertheless, he was a familiar figure out shopping in Englefield Green, doffing his hat to the mothers of Beaumont boys, recognising them even as his sight failed.

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THE QUEEN AND THE ALEXANDRA TRUST

The Queen, who takes a deep interest in the Alexandra Trust Dining Rooms, in the City road — named after her — paid a surprise visit to the institution yesterday, as she did in 1900. A rumour had been circulated that the visit might be paid, but Sir Thomas Lipton alone had been definitely informed of the fact and of the time at which her Majesty would arrive. As it was the Queen's wish to see the dining-rooms and diners under normal conditions, the wish was respected.

The Queen went to the counter and asked for tickets for eight diners at £4.50, and the young lady clerk, unaware of her identity, pointed out that the money was far short and, as the Trust holds firmly to the "no trust" rule, she declined to issue the full number of passes while the money tendered was insufficient. Sir Thomas Lipton asked her to "give over the eight tickets," but, to the Queen's intense amusement, the girl was only partially reassured, and did not excuse the order until Lord de Grey came forward and gravely handed over the balance. Of course, the identity of the Royal visitors quickly became known, and they were cheered with true East-end heartiness wherever they appeared. The

ON THIS DAY

March 25, 1904

From the day Princess Alexandra of Denmark landed in England in 1863 until her death in 1925 as the widow of Edward VII, she never lost the deep affection of the public.

Queen first made a thorough inspection of the ground-floor, which is reserved for men, and where hundreds were having an à la carte dinner from 3s.6d. per head. All the members of the Royal party were impressed by the plentiful quantity and apparently excellent quality of the fare. They passed up by the lift to the first floor, where women and children were being catered for and her Majesty was much struck by the happy and respectable appearance of the great majority of the factory girls who were dining on this floor. The Queen saw two little girls crying because they had lost their tickets, and promptly supplied

them with the necessary cash to make good the loss. Both the Queen and the Princess spoke kindly to many of the children and girls. Ascending by the lift to the next floor, the Royal visitors and suite inspected the kitchens and saw the various operations for preparing food in progress. At the Queen's request a girl "cleansed" a basket of potatoes while they watched, and, with the aid of an electric peeler, the girl had the vegetables ready for the sauce-pan in exactly eight minutes.

The Queen expressed delight at seeing so many poor working persons (including the factory girls) and young children being provided at so low a rate with a substantial meal, and desired to have one more look at the humble diners. The visitors were cheered with great enthusiasm on reappearing in the public dining-rooms, and some of the children in their excitement mounted the seats and tables. The Queen was specially amused at one little fellow who, in his exuberance of spirit, upset his "borth of soup" and stood in the liquid as it ran across the table. Great attention was again paid to the kitchen and washing-up room. Her Majesty had inquired of one of the girls if there was not an enormous amount of washing with 4,000 diners each day, and at her second visit smilingly observed, "What, still washing?"

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Checklist to help beat rogue consultants

CONSULTANCIES that guarantee success in finding grants for small businesses and promise to refund fees if one is not forthcoming should be shown the door, says the Forum of Private Business (FPB), the independent lobby group (Rodney Hobson writes).

So should consultants that claim to be approved by the Government, since government departments do not favour any individuals or organisations, it says.

In spite of warnings by various organisations, representing small businesses, the forum says it still receives complaints about dubious consultants selling services that are often available free from a local authority or training council.

Stan Mendham, FPB chief executive, says: "There are still a few bad apples in the grant-consultancy barrel. We have produced a checklist to help owners to distinguish the good consultants from the bad."

"Many organisations and individuals prey on the unwary by purporting to offer to help them to obtain grants and to guide them through the maze of the several thousand grant and subvention schemes currently available to UK businesses. If you are approached by anyone not known to you offering to provide advice or information about business grants you should seek advice from the FPB member information service or your professional advisers before signing any agreement or handing over any money."

Mr Mendham says any reputable consultancy will be able to provide references from satisfied customers. Copies of the checklist are available from FPB (01565 634467).

Ambitious station ready to send the right signals

By Susan Pape

TO A stranger, they look like two temporary shacks hastily bolted together in the grounds of Craven College, Skipton. But to those in the know, this is the headquarters of a broadcasting organisation that plans to hit the airwaves at Easter, and serve news, views and music to listeners in a huge chunk of rural Yorkshire 24 hours a day.

The scheme is an ambitious one, not least because the station will have to serve a massive but sparsely populated area where, it is said, in the 2,000 square miles from Keighley to Kendal, across to Richmond and down to Ripon, there are more sheep than people. But James Wilson, Yorkshire Dales Radio company secretary, says this is no problem. "We'll fit the sheep with Walkmans and they can listen in too."

Mr Wilson is part of a consortium of Dales people who put in their own cash to launch a licence bid against tough competition. "I think our application was chosen because we were sensible and did not try to oversell ourselves. We were realistic about how much we had to spend and what our sins were," he says.

The consortium, made up of people living and working in the Dales, persuaded friends and family to help to raise the quarter of a million pounds needed for the bid launch and start-up costs. There has been heavy capital and technical investment and not much left for packaging. Hence not only the temporary shacks, but a cost-effective station that cuts right through the company. "We hope to break even within two years and start making a profit in the third, but until then



James Wilson is part of a consortium who put in their own money and are doubling up on jobs to save cash

staff costs have to be kept to a minimum," says Mr Wilson. It means that many of the ten full-timers will have to do more than one job.

Mr Wilson will combine his role as company secretary with presenter of the mid-morning show; the duties of Ron Nicholson, the station manager, will include hosting the breakfast programme, while Graham Bower will combine the roles of music producer and compere of his own easy listening slot.

They may be home-grown, but there is plenty of talent in the team. Many of the staff joined on other

local stations in Leeds and Harrogate. Mr Wilson, previously of Stray FM in Harrogate, began "dabbling in electronics" in his garden shed at home in Pateley Bridge where he managed to broadcast at odd times over a few weekends.

Fellow directors include the owner of a Harrogate glass company, the former boss of a haulage firm, the technical director of the Wensleydale Creamery in Hawes, and a GP who serves on North Yorkshire County Council. Much will rest on the station being able to sell advertising space to Yorkshire

business folk, but Mike Hammond, sales manager and a former cavalry officer, is confident.

"The feedback we have had so far is good. There are advertisers out there who want to give us a try," he says. "We are designing packages to suit all types of businesses and budgets. You need to consider a wide variety when you are servicing an area like the Yorkshire Dales. But I am sure we can convince even the most conservative of Yorkshiremen." Yorkshire Dales Radio: 01756 709901.

Banks draw up code for dealing with firms in trouble

By Rodney Hobson

TEN high street banks will introduce a code of practice on July 1 for dealing with small companies in difficulties.

The British Banking Association, which has drawn up its Statement of Principles after consulting small business organisations including the Federation of Small Businesses and British Chambers of Commerce, will review the scheme in two years' time.

Banks that have agreed to adopt the principles are NatWest, Barclays, Lloyds TSB, Midland, Royal Bank of Scotland, Bank of Scotland, Clydesdale Bank, Yorkshire Bank, Ulster Bank, Allied Irish and Co-operative Bank.

They account for more than 95 per cent of the small and medium business market. More banks are expected to sign. Under the code, banks will have to raise any worries with the client company promptly in writing and be specific in voicing their concerns.

Potential problems include failing to provide the bank with regular information, failing to make loan repayments, going over an overdraft limit, suddenly losing a key customer, substantial changes in turnover and disposing of a large part of the business.

Where a business gets into difficulties, the bank will try to allow sufficient time for it to take advice. In return, businesses will be expected to alert the bank immediately a problem arises.

Where the business cannot be saved under its existing management, the bank will try to rescue it through a receivership, sale to a new owner or a change of management.

The terms of any facility, such as a loan or guarantee, will be confirmed in writing in terms that are easy to understand. Documents will include the amount of the facility, the timing of repayments, and the interest rate. Businesses will be told what circumstances would trigger a review.

A business may bring its own adviser to any meetings. Banks will have a complaints procedure, but, in the last resort, a business will have the right to appeal to the Banking Ombudsman, if it feels that the bank has not kept to the code.

Tim Sweeney, BBA director-general, said: "This is a real advance in showing business customers what they can expect from their banks and, in return, what they can do to develop their relationships with their bank. Many thousands of businesses are alive today because their bank supported them through difficult times."



Thomas: role to hear appeals

Desktop diners warned

CAFFEINE, junk food and smoking are being used by many small business owners as they fight to beat off rivals (Brian Collits writes).

The unhealthy habits were uncovered by Barclays Bank researchers who interviewed 400 bosses of small businesses with turnover below £1 million. The survey found that a third of the owners worked an average of 11 hours a day, only a quarter got eight hours' sleep a night, many took too little time off, 38 per cent drank too much coffee, 22 per cent

ate excessive amounts of junk food and 18 per cent smoked heavily. A third of them took no exercise. More than half wanted to be fitter and accepted that they would work better if they were more active, but said that they lacked the time.

Jerry Blackett, of Barclays Bank's small business services, said: "A healthy lifestyle may make it easier to handle the pressure of the business world."

Barclays suggests that entrepreneurs improve unhealthy lifestyles gradually, such as by smoking less.

A total of 124,000 claims for stolen tools and equipment from business premises and vehicles was handled by members of the Association of British Insurers last year, resulting in payouts of £183 million. A report giving the figures coincides with a drive by Lloyds Bank, through its insurance arm, to encourage business owners to buy adequate cover. Lloyds estimates that crime costs businesses £1 billion in uninsured losses annually and can lead to lost contracts and even closure.

□ The SME Networks Show 97,

an information-technology exhibition for growing businesses, will be held at the Wembley Conference and Exhibition Centre, London, from April 8 to 10. The keynote opening speech will be given by Barbara Roche, Labour's small business spokeswoman.

□ The number of employees in franchised businesses has grown to 264,000 and the sector's total turnover is now £5.4 billion.

according to the 1997 survey by the British Franchise Association backed by NatWest. Altogether 94 per cent of franchisees recorded profitability. Brian Smart, the director-general of the association, said: "Franchising has proved to be the most successful way of starting a new business."

□ A series of breakfast briefings on latest management techniques are being held in London and

Crawley, West Sussex, by Arthur Andersen and Binder Hamlyn. The next seminar, on performance measurement, will be held in May, followed by remuneration strategy in July and customer satisfaction in September. Attendance is free. Contact Lorraine Hilder (0171-489 6075) for London and Karen Heath (0181-666 9021) for Crawley.

□ The third edition of *How to Buy Your Own Hotel* by Miles Quest has been published by Brodie Marshall, price £20. Copies may be ordered from 0171-730 9974.

Court of Appeal

Law Report March 25 1997

Chancery Division

Order against officials quashed

Regina v Lambeth London Borough Council, ex parte Wilson
Before Lord Justice Nourse, Lord Justice Potter and Lord Justice Mummery
[Judgment March 21]

An order made against officers of a local authority that they personally liable under section 51 of the Supreme Court Act 1981 for part of the costs of judicial review proceedings was quashed. The order was made against the officers and had to be set aside.

Although the court might have jurisdiction to do so, as a matter of discretion it was difficult, in the absence of fraud, to think of circumstances where it would be right to make such an order against an officer where the local authority was itself a party to the proceedings.

The Court of Appeal held allowing an appeal by Lambeth London Borough Council and its officers against an order made by Mr Christopher Knaggs and Mr Michael Jellow, from orders by Sir Louis Blom-Cooper, QC, sitting as a deputy High Court judge (The Times March 21, 1996) that those officers personally pay costs incurred between November 3 and December 19, 1996 in respect of a successful application by Donna Wilson for judicial review of a

decision by Lambeth that it had discharged its duty to provide her with suitable accommodation under section 65 of the Housing Act 1985.

Section 51 of the 1981 Act, as substituted by section 4 of the Courts and Legal Services Act 1990, provides: "(1) ... the costs of an application to all proceedings in the High Court ... shall be in the discretion of the court."

"(3) The court shall have full power to determine by whom and to what extent the costs are to be paid."

Mr Andrew Arden, QC and Mr Christopher Baker for the council and the officers; Mr David Elvin as amicus curiae; the applicant did not appear and was not represented.

LORD JUSTICE NOURSE said that in successful proceedings for judicial review against a local housing authority the judge, instead of ordering the authority to pay all the applicant's costs, had, in respect of part of them, made non-party costs orders against two of its assessment officers; see *Alden Shipping Co Ltd v Interbulk Ltd* (1986) AC 965 and *Symphony Group plc v Hodgson* (1994) QB 179.

Such an order was believed to be unprecedented. The circumstances in which it could properly be made had to be extremely rare. Here it

was plain that the orders had to be discharged.

The judge, having mentioned a saga of forensic inactivity on the council's part, referred to the warning given by Mr Justice Sedley in *R v Lambeth Borough Council, ex parte Mahmood* (The Times February 23, 1994) to officers of local authorities that they might be personally liable for wasted costs arising from an eleven-hour decision not to contest a challenge by way of judicial review. The judge had gone on to say that there was "no clearer case than this on the satisfaction of the criteria for making a wasted costs order".

The first point was that by the time the matter came before the judge the applicant had accepted the council's offer to pay her costs of the proceedings. No reference to that offer was made by the judge.

Although there had been debate on appeal as to whether the council's offer had excluded the court's jurisdiction to make an order under section 51(3), as a matter of discretion, it was difficult to see how the judge could properly have made the orders he did. His only purpose could have been to punish Mr Knaggs and Mr Jellow for their perceived dilatoriness or inaction in the conduct of the matter on behalf of the council.

The judge had been greatly

influenced by his understanding of what was said in *Mahmood*. But in that case Mr Justice Sedley's observations, in substance interdictory and made in *terrore* but without the benefit of argument, related to the personal responsibility of the officers in internal disciplinary proceedings.

The agreement as to costs between the council and the applicant was a special feature of the instant case which put its outcome beyond doubt. Even without such an agreement it was difficult to conceive of circumstances, fraud and such like apart, where it would be proper to make an order under section 51 against an officer of a local authority which was itself a party to the proceedings.

In the straightforward kind of case such as the present the circumstances in which a non-party costs order could properly be made had to be extremely rare.

It was also clear that the order had to be set aside on the ground of procedural unfairness; an overriding requirement in the determination of such applications; see *Ridgeway v Horsfield* (1994) Ch 205, 238-239.

The judge's order assumed, without investigation, that there were officers against whom an order might properly be made and, that they were officers responsible for such like aspects as not, for example, officers in the legal services department.

Further, it left it to the council to identify the officers against whom an order might properly be made. The evidence before the judge did not deal with the individual responsibilities of the officers.

The judge should have required the council to file an affidavit dealing with individual responsibilities. It would then have been possible for the judge to consider whether any of the officers should be invited to show cause and, if so, to deal with the applications against them on a proper basis.

Moreover, it had to be emphasised that an order made against a council officer in such circumstances, was capable of having not only serious financial consequences to him, but grave professional consequences as well. Doubtless criticism of the council's conduct was well justified at the time. The deep anxiety that the court might have felt about it had been alleviated by Mr Arden's assurance that the council's legal services department had been radically reorganised so as to prevent the pattern of conduct recurring in the future.

It was easy to understand the exasperation the judge must have felt about it in February 1996. But he had to be satisfied that a course of action which, although taken in order to remedy one waste of costs, had resulted in another and much greater waste of costs.

Lord Justice Potter gave a concurring judgment and Lord Justice Mummery agreed.

Solicitors: Mr Gerard Curran, Lambeth Treasury Solicitor.

Mess Finance Ltd and Another v A. L. Phillips & Co (a Firm)
Before Sir Richard Scott, Vice-Chancellor
[Judgment March 12]

Where liability had been determined but damages were still to be assessed, a defendant could raise a plea of contributory negligence as the assessment of damages stage when he alleged that the plaintiff's own fault had been causative of particular items of the loss.

Sir Richard Scott, Vice-Chancellor, so held in a reserved judgment given in open court after a hearing in chambers in the Chancery Division, dismissing the appeal of Mess Finance Ltd and Mac No 1 Ltd against an order of Master Bowman of June 7, 1996 who gave A. L. Phillips & Co, the defendant solicitors, leave to amend their defence.

Mr Hugh Jackson for the plaintiffs; Mr Grant Crawford for the defendants.

THE VICE-CHANCELLOR said that the defendants acted for the plaintiff finance companies in connection with two mortgage transactions in which the solicitors acted both for the plaintiffs as lenders and the clients as borrowers. The lenders contended that in those mortgage transactions they were the victims of fraud by the borrowers.

The lenders did not contend that the solicitors were a party to the alleged fraud. But they contended that the solicitors, who had become aware of at least some of the material facts while acting in the transactions, should have disclosed those facts to them. The solicitors' failure to do so constituted, they said, a breach of the duty they owed to them as their solicitors.

The lenders brought proceedings against the solicitors to recover from them the losses they had incurred in the two mortgage transactions. On February 23, 1996 an order was made by consent giving the lenders judgment "for damages for negligence and breach of contract with damages to be assessed". The solicitors were entitled to contest the issues arising on the assessment of damages.

The solicitors wished to argue that the lenders had contributed to their own loss by their own fault. The question was whether they could seek to reduce the damages for which they were liable by alleging contributory negligence on the part of the lenders at the assessment of damages after liability had been established.

Contributory negligence was no longer, as in pre-Law Reform (Contributory Negligence) Act 1945 days, a complete defence. It now went to the reduction of recoverable damages.

The question whether contributory negligence could be raised for the first time on an assessment of damages, liability having already been established, could not in his Lordship's judgment, now be answered simply by categorising contributory negligence as a defence.

Whether it could be raised after judgment depended, in his opinion, on the nature of the issues that were settled by the judgment.

It might be that the obtaining of a judgment for damages had assessed, whether summary judgment or judgment at trial, would have settled some issue on which an allegation of contributory negligence would depend. If that were so, then contributory negligence could not be raised without first having the judgment set aside.

But if the judgment had not settled any issue on which an allegation of contributory negligence would depend, his Lordship did not see any reason why contributory negligence should not be raised on the assessment of damages.

Mr Jackson put forward as a reason that contributory negligence was concerned with causation and that causation issues should be determined at the time liability was determined. It was true that the causative effect of a defendant's acts or omissions had, at least to some extent, to be established at the time the defen-

Raising plea at damages stage

The lenders did not contend that the solicitors were a party to the alleged fraud. But they contended that the solicitors, who had become aware of at least some of the material facts while acting in the transactions, should have disclosed those facts to them. The solicitors' failure to do so constituted, they said, a breach of the duty they owed to them as their solicitors.

The lenders brought proceedings against the solicitors to recover from them the losses they had incurred in the two mortgage transactions. On February 23, 1996 an order was made by consent giving the lenders judgment "for damages for negligence and breach of contract with damages to be assessed". The solicitors were entitled to contest the issues arising on the assessment of damages.

The solicitors wished to argue that the lenders had contributed to their own loss by their own fault. The question was whether they could seek to reduce the damages for which they were liable by alleging contributory negligence on the part of the lenders at the assessment of damages after liability had been established.

Contributory negligence was no longer, as in pre-Law Reform (Contributory Negligence) Act 1945 days, a complete defence. It now went to the reduction of recoverable damages.

The question whether contributory negligence could be raised for the first time on an assessment of damages, liability having already been established, could not in his Lordship's judgment, now be answered simply by categorising contributory negligence as a defence.

Whether it could be raised after judgment depended, in his opinion, on the nature of the issues that were settled by the judgment.

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endant's liability for those acts or omissions was established.

The defendant could not therefore contend that his acts or omissions were not causative of any loss to the plaintiff. But he might still be able to argue, on the assessment, that they were not causative of particular items of the alleged loss.

And, as the plaintiffs accepted in the present case, he could argue a failure by the plaintiff to mitigate his loss. There would always be a causation element in a mitigation plea. If the acts or omissions of the plaintiff that were relied on as constituting a failure to mitigate were not causative of any of the loss the plaintiff was seeking to recover, the mitigation plea would fail.

Similarly, a contributory negligence plea would fail if the plaintiff's fault could not be shown to be causative of any of the damage for which recovery was sought.

In principle, there was no reason of law why a contributory negligence plea should not be raised on an assessment of damages. The fact that it operated as a partial defence on quantum, was, in his view, no bar. Indeed it was a reason why it was suitable to be raised at the assessment stage. It had, of course, to be specially pleaded.

Solicitors: Mr Rekha Savjani; Wansbroughs Willey Hargrave.

Identification not required for valid transfer of employment

MRS Environmental Services Ltd v Dyke and Another
Before Judge Byrt, QC, Mr A. C. Blythton and Miss D. Whittingham
[Judgment March 10]

The contract of employment of an employee, who worked in part of a transferred undertaking, was transferred to the transferee under regulation 5 of the Transfer of Undertakings (Protection of Employment) Regulations (SI 1981 No 1794) even though he was not aware of the identity of the transferee at the time of transfer.

The Employment Appeal Tribunal so held when allowing an appeal by the transferee, MRS Environmental Services Ltd, from the decision of a Bedford industrial tribunal, dated December 7, 1995, that it had unfairly dismissed the applicant employee, Mr Richard Dyke, and that liability therefor had not transferred to the transferee, Mr William McBride.

Mr Philip Mead for the transferee; Mr Charles Clumet for the employee; Mr Andrew Short for the transferee.

JUDGE BYRT said that Mr Dyke had been a local authority gardener/groundsman for 33 years when the work which he did was transferred out to MRS Environmental Services Ltd in 1994. When the transferee lost that contract it notified Mr Dyke that

his employment would transfer to the new contractor but that it had been unable to find out who that was. The transferee made no contact with Mr Dyke, and he made a complaint, inter alia, of unfair dismissal, naming the transferee as respondent.

The industrial tribunal stated that it would have found that Mr Dyke's employment was transferred to the transferee under regulation 5 of the 1981 Regulations but for *Photostatic Copiers (Southern) Ltd v Oluda* (1995) IRLR 11, which had held that there could be no effective transfer of an employee's contract unless the employee had notice of both the fact of the transfer and the identity of the transferee.

That case recognised that the consent of the employee to the transfer was of no consequence because of *Berg v Bosse* (1990) ICR 390, but it argued that his lack of knowledge as to the identity of the transferee was altogether a different matter because such knowledge was an essential ingredient of a common law novation.

In *Secretary of State for Employment v Spence* (1986) 1 QB 179 Lord Justice Balcombe had reviewed the relationship between regulation 5 and the common law principle of novation.

That authority was of considerable relevance, but it appeared not to have been cited in the *Photostatic Copiers* case. Had that appeal tribunal had the advantage of seeing *Spence's* case and *Sunley Turf Holdings Ltd v Thomson* (1995) IRLR 184, which was not heard until some months later, it might well have come to a different decision.

Regulation 5 imported a statutory novation which had effect regardless of whether the parties consented or had knowledge of the identity of each other.

In the circumstances, on the facts of the present case, *Photostatic Copiers* would not be followed, with the result that Mr Dyke's contract of employment was deemed by regulation 5 to have automatically transferred to the transferee and was, by regulation 11, to be treated as terminated by unfair dismissal.

On the transfer, his employment relationship with the transferee was deemed to have come to an end and all obligations formerly owed to him before the transfer came to an end.

No liability, therefore, remained attached to the transferee. The appeal would be allowed and the case remitted for the tribunal to consider Mr Dyke's remedies against the transferee.

Solicitors: Mr Gerard Curran, Lambeth Treasury Solicitor.

In re Applications by Elvis Presley Enterprises Inc
Before Mr Justice Laddie
[Judgment March 18]

There was nothing akin to copyright in a name. Before the name of any individual, alive or dead, could be entered in the register of trade marks, it had to satisfy the relevant conditions as to distinctiveness in the Trade Marks Act 1938, for applications prior to October 31, 1994, or the Trade Marks Act 1994, thereafter.

Mr Justice Laddie so held in the Chancery Division in allowing an appeal by Sid David Shaw from a decision of the Registrar of Trade Marks of January 31, 1996, dismissing opposition by him to applications by Elvis Presley Enterprises Inc for registrations, in part A of the register, of the name "Elvis" and of a manuscript version of "Elvis A Presley", the signature mark; and in Part B of the register of the name "Elvis Presley".

Mr Richard Meade for Mr Shaw; Mr Peter Prescott, QC, for Presley Enterprises.

MR JUSTICE LADDIE said that Presley Enterprises was in some way carrying on the merchandising activities started before Presley's death in 1977. Mr Shaw had traded under the name "Elvis Yours" since the late 1970s, had in 1982 formed "Elvis

Yours Ltd", a trading company, and was the proprietor of the registered trade mark "Elvis Yours" for a wide specification of goods, including toiletries, soaps, perfumes, cosmetics and shampoos.

At the heart of his appeals were two issues: could anyone claim the exclusive right, under the 1938 Act, to use the names "Elvis" or "Elvis Presley" or the signature mark for a range of common retail products; and if so, what?

The distinctiveness addressed by sections 9 and 10 of the 1938 Act was not a quality of the mark which existed in a vacuum; it was a particular type of distinctiveness, namely, the ability to distinguish the proprietor's goods from similar goods marketed by someone else.

Mr Meade argued that the fact that a name was well known made it not more, but less, distinctive; that evidence of use was virtually non-existent; that there were no special circumstances.

Mr Prescott had invited consideration of the position, had Presley been still alive and had himself made the present applications, say, even before he had become famous, he would then have got his marks registered. The position could be no different if he had applied later, or if his estate or its successors applied after his death.

His Lordship rejected that

seductive argument. It could be positively misleading to consider what the position would have been in other circumstances.

Mr Prescott had also suggested that the public's current awareness of merchandising practice meant that it would always assume that products of famous personalities or fictitious characters came from a particular, genuine, source; for example, in the case of a dead human, from his estate or someone with rights granted by his estate.

His Lordship's own experience suggested such an assumption to be false; for example, a purchaser of a souvenir of a royal wedding would be indifferent as to its source.

As an example of other circumstances which might indicate distinctiveness, Mr Prescott had urged that Presley's fame qualified as such circumstances; but such fame did not help to identify Enterprises' goods with Enterprises; it only helped to identify their goods with a particular subject matter, namely, Presley.

The Elvis Presley application. All the factors mentioned above applied equally strongly: neither "Elvis Presley" nor "Elvis" qualified for registration under section 10 of the 1938 Act.

The signature mark application. Signatures were dealt with expressly under section 9(1). If the present mark were registrable, its

distinctiveness must be dependent on the particular graphic style used to write it; hence Mr Meade urged that any registration should be subject to a disclaimer under section 14.

For some time his Lordship had been minded to allow the mark on the register, but subject to a disclaimer: "Nothing in this registration shall give rise to any exclusive rights in the words 'Elvis', 'A', and 'Presley' when used separately or together, save when used in substantially the script shown."

However, the onus remained on Enterprises to demonstrate that that mark, even with that disclaimer, was adapted to distinguish the goods from the same or similar goods of other traders.

As with the other two marks, there had been no evidence of its use in the United Kingdom, or that any member of the public had learned to treat it as distinguishing it as coming from a particular source.

In the result, Enterprises had failed to satisfy the court that there was no reasonable likelihood of deception or confusion arising among a substantial number of persons if the signature mark were to be registered. Accordingly, Mr Shaw's opposition to that mark also succeeded.

Competition for fantasy title grows ever closer



ITF has been a long innings for Sophie and Sam, but there is a new leader of The Times Interactive Team Football game today. Mr D. Edmondson, of Worthing, has stolen five points ahead, with his team Edmo Utd.

Indeed, Mr G. Foster, the previous leading selector, has fallen to fourth place, with John Hunt and Mike Jones — who both have a number of teams in the competition — sneaking into equal second. But with only eight points dividing the top five selectors, the contest is by no means over.

The weekly winner hails from Cardiff. Mr G. Llewellyn, with his team Death From Above, scored 36 points and wins £250. He was well served by the Leicester City striking pair, Claridge and Heskey, and by the twinning feet of Juninho.

Mr Llewellyn's team is:

Goalkeeper
P Schmeichel (Man Utd)

Full backs
S I Bjornbey (Liverpool)
A Wright (Aston Villa)

Central defenders
D Matteo (Liverpool)
D May (Man Utd)

Midfield players
R Earle (Wimbledon)
M Gayle (Wimbledon)
Juninho (Middlesbrough)
G Speed (Everton)

Strikers
S Claridge (Leicester)
E Heskey (Leicester)

Manager
B Little (Aston Villa)



Hartson's physical approach and goalscoring form have brought new life to West Ham United's season



You can move into the transfer market to improve your fortunes — although it should be remembered that this Saturday is free of Premiership matches due to the Mexico international at Wembley. The ITF transfer system

allows you to change up to two players each week and to adjust your team if one of your players is actually transferred out of the FA Premier League or Bell's Scottish League premier division.

You can make transfers only by telephone. Using a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone), call the 0891 866 968 line during the times given. From outside the United Kingdom, you must call 0044 980 200 643.

When making a transfer, you must ensure that the team does not contain more than two individuals (two players or one player and a manager) from the same club.

If you are lagging behind the leading team selectors, the transfer system will be an appealing option to you in the chase for the prize: the overall £50,000, monthly £1,000 or weekly £250.

□ All Interactive Team Football transfer queries should be directed to 0171-757 7016. All other inquiries can be made on 01532 488 122.

THIS WEEK'S TRANSFERS

10803	Steb Dylana	Dundee United	£2.50m
12403	Andy Dibble	Preston	£3.50m
48708	Chris Woods	Sunderland	£1.50m

LOANED PLAYERS

A Miller (Middlesbrough to West Bromwich, one week); P Evans (Leeds to Bradford, one week); N Garmston (Blackburn to Ipswich, three weeks); B O'Neil (Cardiff to Nottingham Forest, three weeks). Loan periods subject to fluctuation.

HOW THE SCORING SYSTEM WORKS IN ITF

All 1996-7 matches in the FA Premier League, FA Cup, Bell's Scottish League premier division and Tenna's Scottish Cup from August 17 count for points. Penalty shootouts do not count but results decided in this way will count for managers.

POINTS SCORED			
Goalkeeper		Striker	
Keeps clean sheet*	4pts	Scores goal	2pts
Scores goal	3pts	All players	
Saves penalty	1pt	Appearance†	1pt
Full back/Central defender		Scores hat-trick	6pts
Keeps clean sheet*	3pts	Manager	
Scores goal	3pts	Team wins	3pts
Midfield player		Team draws	1pt
Keeps clean sheet*	1pt		

POINTS DEDUCTED			
Goalkeeper		Booked	1
Concedes goal	2pts	Concedes penalty	1
Full back/Central defender		Misses penalty	1
Concedes goal	1pt	Scores own goal	1
All players		Manager	
Sent off	3pts	Team loses	1
* must have played for 75 minutes in the match			
† must have played for 75 minutes in the match			



ENTER A NEW TEAM TODAY

THERE ARE BIG PRIZES TO BE WON EVERY WEEK AND EVERY MONTH

The ITF Manager of the Week and the Manager of the Month are up for grabs from now until the end of the season. Enter a team today for your chance to be a winner in 1997. The Manager of the Week or Month can be won by any team no matter where it is in the league, the prize for the Manager of the Week or Month simply goes to the person whose team scores the highest points in any one week or month.

The prize for the Manager of the Week is £250 cash, plus a £250 Sports Gift Voucher for an amateur football team in your community — as nominated by you. The Manager of the Month will receive £1,000 cash.

Enter today by following the instructions below.

Enter ITF by phone on 0891 405 011

If telephoning from outside the United Kingdom, call 44 990 100 320

1. You must use a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone).
2. Choose 1 goalkeeper, 2 full backs, 2 central defenders, 4 midfielders, 2 strikers and a manager.
3. Do not spend more than £35 million.
4. Do not choose more than two individuals (2 players or 1 player and 1 manager) from any one football club.
5. Once you have chosen your team, call the entry line, above, and follow these step-by-step instructions.
 - a) You must tap in (not speak) the full set of selections (using the five-digit player codes) for each of your 11 chosen players and your manager.
 - b) You must speak the name of your team (no more than 16 characters) your name, address, with postcode, and daytime telephone number.
 - c) Finally, you will be given a ten-digit personal identification number (PIN) at the end of the call. You must keep a note of this number and your chosen team as no postal notification will be sent.



NB. Any new teams will only score points on future games.

0891 calls cost 50p per minute. Your call will cost approximately double if made from a pay phone. In the event of there being more than one Manager of the Week or Month, the winner will be chosen at random. All ITF rules apply, a copy of which will be made available on request.

HOW TO MAKE A TRANSFER IN ITF

Call 0891 866 968

If telephoning from outside the United Kingdom call 44-990-100-320

You may make transfers only by telephone using a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone). You will need your ten-digit selector PIN, which you will have to tap in, not speak. Follow the simple instructions and tap in the five-digit codes of the players you are transferring.

You may only make transfers in one team per telephone call. If you have entered two teams and want to make transfers in both, you must make two separate calls.

You may transfer two (but no more than two) individuals (two players or one player and a manager) during a transfer week. A player being transferred out must be replaced by one from the same category and you must keep to the team format of 1 goalkeeper, two full backs, two central defenders, four midfield players, two strikers and a manager. You must not exceed the £35 million budget and have no more than two individuals from the same club. Incorrect transfers will be rejected and your team will remain in its previous form.

The transfer week runs from 00.01 on Tuesday to midnight the following Monday. Transfers made before noon each day will become effective immediately. Transfers made after noon will become effective for matches played after noon on the following day.

Your player only starts to score points for you when his transfer is registered. The current score of the player transferred out remains part of your team score but he then ceases to score for you.

If a player or manager moves teams during the season, it may affect the composition of your team. You must adjust your team by using the transfer system to avoid missing out on points.

Calls will be charged at 50p per minute. Calls made from public telephones may cost approximately twice as much.

Player out: Club:

Player in: Club:

THE LEADING 250 ENTRIES IN THE TIMES INTERACTIVE TEAM FOOTBALL

Pos	Team	(Player's name)	Pts
1	Edmo Utd	(D Edmondson)	884
2	Jones Boys Three	(M Jones)	880
3	John Hunt Tawnton D	(J Hunt)	880
4	Sophie And Sam	(G Foster)	880
5	Turner's Eamers 3	(P Turner)	880
6	Brain's Team	(S Hovens)	874
7	AB 4	(A Boyland)	872
8	Nobby 4	(J Brown)	871
9	Nobby	(J Brown)	871
10	John Hunt Tawnton H	(J Hunt)	868
11	Nobby 32	(J Brown)	868
12	Duggies	(V Cook)	868
13	Pin Ups Two	(P Turner)	868
14	Nonchalant AFC 3	(R J Ward)	868
15	Turner's Eamers 3	(P Turner)	868
16	Dour Rangers 3	(I Clayton)	868
17	Nobby 32	(J Brown)	867
18	Nobby 21	(J Brown)	866
19	Bob's Boys 2	(R Calder)	865
20	Jabberwocky	(P A Amos)	864
21	Perlick Bibeo 3	(J Hamilton)	864
22	12 Angry Men	(D Cook)	863
23	John Hunt Tawnton E	(J Hunt)	862
24	Nobby 11	(J Brown)	862
25	Leeds	(S White)	862
26	Nobby 21	(J Brown)	862
27	Nobby 22	(J Brown)	862
28	Bessons Celtic	(B McGilvray)	862
29	Hunter's Mob	(C Hunter)	862
30	Turner's Eamers 1	(P Turner)	862
31	Blythe Sparrows	(T Bayliffe)	862
32	Ural Boys Ltd 1	(S Gardner)	862
33	Jones Boys Eight	(M Jones)	862
34	Noah's Ark	(G P Dolan)	862
35	Where's Ray Gone?	(P Fromm)	862
36	Nobby 23	(J Brown)	862
37	Bladderburners	(P Walters)	862
38	SCFC 1998	(J Bithell)	862
39	Turner's Eamers 6	(P Turner)	862
40	John Hunt Tawnton F	(J Hunt)	862
41	Jones Boys Sky	(M Jones)	862
42	A	(M Corless)	862
43	Schools For Goals	(K Booth)	862
44	Elaine's United	(P Leader)	862
45	Bob's Boys 4	(R Calder)	862
46	Jiff Sports	(A Bates)	862
47	Nobby 12	(J Brown)	862
48	Midfield Magic	(J Pregon)	862
49	Turner's Eamers 4	(P Turner)	862
50	John Hunt Tawnton C	(J Hunt)	862
51	Inter The Stand	(M Ward)	862
52	John Hunt Tawnton E	(J Hunt)	862
53	Nobby 25	(J Brown)	862
54	Storm	(P Mills)	862
55	Teddy Three	(B Bear)	862
56	Tur	(P Turner)	862
57	Nobby 20	(J Brown)	862
58	Thom Footy FC	(M Horan)	862
59	Abc	(M Baber)	862
60	Nobby 14	(J Brown)	862
61	Geestall	(R Rowe)	862
62	Club 13-30 Toss	(A Robson)	862
63	Nobby 7	(J Brown)	862
64	Inter The Pub	(M Ward)	862
65	Jones Boys One	(M L Jones)	862
66	Ball Watchers	(J Murray)	862
67	Ray Is Back To Kill 5	(R Gohil)	862
68	Nobby 5	(J Brown)	862
69	Red Time Boys	(R Crock)	862
70	Caroline B	(A Luckhurst)	862

FIND OUT HOW YOUR TEAM IS DOING

Check your points total and your ranking. You need a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone) and your ten-digit selector PIN. Calls made from public telephones may cost approximately twice as much.

Call the ITF hotline on 0891 864 643
Outside UK: 44 990 100 343

Pos	Team	(Player's name)	Pts
71	Concorde Barons	(S Hovens)	862
72	Jan 2	(J Clayton)	862
73	Gwirth Smiths	(I Dougherty)	862
74	Set Against Cys	(S Shipley)	862
75	Kyrtaris 2	(S Roberts)	862
76	Atc	(M Baber)	862
77	Rowley Boys	(R Crook)	862
78	Team C	(A Lone)	862
79	Johning	(P Fellen)	862
80	Always Portugal 1	(V Gilmour)	862
81	Tully's Tops	(D Tully)	862
82	Matilda	(R Lockyer)	862
83	Nobby 34	(J Brown)	862
84	Mean Machine	(P Ford)	862
85	Neil Maslin	(N Rescliffe)	862
86	You're Not Very Well	(R Laskowski)	862
87	1970 Jr FC	(J Row)	862
88	Inter's Best	(L Sampson)	862
89	AB	(K Farhall)	862
90	Nobby 34	(J Brown)	862
91	Enid Four	(J Brown)	862
92	Orvisio Classics	(J Bradshaw)	862
93	Inter The Waller	(M Ward)	862
94	Murray's Mates	(D Anderson)	862
95	Murray's Mates	(M MacMillan)	862
96	Bob's Boys 3	(R Calder)	862
97	Born Losers	(P Parkins)	862
98	Caroline D	(A Luckhurst)	862
99	Whitewash FC	(M Kinwood)	862
100	JS 2	(D Sention)	862
101	Game Duffers	(S Wilson)	862
102	Subwith Utd 5	(M Lacombe)	862
103	Subwith Utd 5	(G Weiss)	862
104	Inter The Unknown	(P Barlett)	862
105	Bob's Boys 1	(R Calder)	862
106	Ebbeye 1st XI	(S Baldrick)	862
107	Langton Longhills	(M Ward)	862
108	Def Con 3	(M Peck)	862
109	Bob's Boys 5	(R Calder)	862
110	AB	(K Hughes)	862
111	Stim's Dream	(K A Kitchen)	862

Pos	Team	(Player's name)	Pts
112	Alice	(I Pigeon)	862
113	The Dummies 1	(J Shirts)	862
114	PJS Rivers	(P J Butler)	862
115	Ray Is Back To Kill 6	(R Gohil)	862
116	PJ Thistle	(R Newbould)	862
117	Goldiggers	(D Curzon)	862
118	Billie No More XI	(M Brown)	862
119	Kinky Imports	(S Fraser)	862
120	Star Chamber	(M MacMillan)	862
121	Inter The Bn	(M Ward)	862
122	Agapathus FC	(W Heslop)	862
123	No Midfield	(J B Portwood)	862
124	NSI Marston	(J Stasiewicz)	862
125	Fortune Hunters	(A Luckhurst)	862
126	Layton's Lions 7	(K Farhall)	862
127	Sam Shanks	(S Shanks)	862
128	Top Banana	(M Bottomley)	862
129	Ferr Academicals	(A Kewwood)	862
130	I Have Alan Hansen	(V Cook)	862
131	Inter George	(M Robinson)	862
132	End 2	(J Hagger)	862
133	Gangsters	(A Lone)	862
134	Mars FC	(M Baber)	862
135	Skyforest	(A Burton)	862
136	Come On You Poles	(no name)	862
137	Caroline C	(S A Luckhurst)	862
138	Caught Lucky	(C Wright)	862
139	Winn Freshley Langhams	(M Macdon)	862
140	Fanden United	(E Cowin)	862
141	Robinsons	(R Preston)	862
142	John Hunt Tawnton A	(J Hunt)	862
143	Airist	(I Fyfe)	862
144	Bugle Nerves	(D Benke)	862
145	Man City Free Zone	(A Clark)	862
146	Yalbyns	(G Davidson)	862
147	Kingsbury Th 1	(C F King)	862
148	RVK 3	(C Vaneze)	862
149	Northern Lights	(C Wright)	862
150	Holestiles	(D Blair)	862
151	Burnet Boys	(A Sharpe)	862
152	Xpist Mission	(M Jackson)	862
153	Bob Hope And No Hope	(T Bayliffe)	862
154	The Loggers	(D Wright)	862
155	Inter Outers	(R Johnson)	862
156	LFC Champions 96-97	(S Fazzlerley)	862
157	The Far Side	(K Hadfield)	862
158	Porcelain Dogs	(A Ison)	862
159	Coolie's Gurners	(S Cook)	862
160	Demolition Men	(J Murray)	862
161	Roberts-Town 1	(M Roberts)	862
162	Basford Boys	(M Woodley)	862
163	S Gill Tawnton A	(S Gill)	862
164	Paul One	(P Paul)	862
165	Dave's First XI	(D Quibell)	862
166	Superstars	(I Taylor)	862
167	Foxy	(M Fox)	862
168	Lesley's Legmen	(L Michaelis)	862
169	Mapflappers	(P Reid)	862
170	Snit On Sight 2	(R Gohil)	862
171	Crosby Boys	(G Pritchard)	862
172	Diplomatic Risk	(S Houghton)	862
173	Barclay's	(J Pregon)	862
174	Lynne's Lions	(L Horne)	862
175	Danish Soldiers	(V Cox)	862
176	JD 3	(J Donaldson)	862
177	West End United	(J Swales)	862
178	St August Monthly 1	(J M Bartholomew)	862

Pos	Team	(Player's name)	Pts
182	Scottish United	(S Goff)	862
182	Grimm's Army	(S Gray)	862
182	Triple Top Tan	(P Bailey)	862
182	Totterd Fire	(E Kirby)	862
183	Doppelgangerz	(J Whaling)	862
183	John Hunt Tawnton B	(J Hunt)	862
183	Das Boot	(D A Sutton)	862
186	Sail & Graft Team	(J Swain)	862
189	Grafton Willows	(R J Brown)	862
189	Bung Hot	(G Watson)	862
189	Schoko Zoo	(P Roach)	862
190	It's About Revenge C	(R Gohil)	862
193	Caroline A	(A Luckhurst)	862
193	C U O K	(G Weiss)	862
196	Wingshore Wanderers	(P Paynter)	862
196	Jack's Nightmare	(N J Lane)	862
196	Old Camerons	(R J Brown)	862
196	Langfield Lads	(N Finch)	862
196	Dratons	(D Edmondson)	862
201	Devato Unit 1	(D Sloan)	862
201	Dwyer's Tipsters	(J Dwyer)	862
201	Book United 1	(J Pull)	862
204	Alameda FC	(A Stillano)	862
204	Marck Press	(M McGovern)	862
206	Purple Rain	(S Gohil)	862
206	Histman's Haggie	(N A Rahim)	862
206	Tungston Town	(J W George)	862
206	Sucharia	(R Kasran)	862
206	Vari	(K Howson)	862
211	ILK's Unleashed	(E J Kitchen)	862
211	Dickens Tigers	(T Rawlings)	862
211	Steve's Aces	(S Brook)	862
211	Back In Bristol	(D Stone)	862
211	Havot	(P Williamson)	862
211	Alexpool	(C Strachan)	862
211	What Ford Splash	(C Strachan)	862
211	Dodd's Aces	(N P Lewis)	862
219	Flying Pigs	(C Dodd)	862
219	Sooty's Puppets II	(M Macmillan)	862
219	Dutch Courage	(N Ryan)	862
219	Nettles Heroes	(E van Rutenbeek)	862
219	Powerage	(I Ford)	862
224	Shack Attack	(I Dougherty)	862
224	Rock Bottom	(R Shackleton)	862
224	Popadopoulos Ltd	(E O Gorman)	862
224	Tubula	(A Papadopoulos)	862
226	The Instructors	(T Wylie)	862
226	Batwilt Unit 3	(K Cunnion)	862
226	Rain's Dream Team	(M Larcombe)	862
226	Hansard's Champ	(M Rynn)	862
226	OC95-ITF Champ	(C Bennett)	862
226	Lloyd's Barge	(M Stadden)	862
234	Hannay's Heroes	(D Goodwin)	862
234	Laughing Gravy	(S Howard)	862
234	No Help From Dad FC	(D Clarke)	862
234	Here We Go (Again)	(A Du Gay)	862
234	DRS Select XI 2	(D Postlethwaite)	862
234	Alia	(D Swinburne)	862
234	Mercury 2	(T Mills)	862
241	Enter The Mole	(D Attwood)	862
241	Charlie's Angels	(M Ward)	862
241	Graham's Bungers	(J Yates)	862
241	Lager Space FC	(G Watson)	862
241	Bob's Barge 6	(D Mayall)	862
248	Red Star Storm	(R Calder)	862
248	Kelly's Best	(P Mills)	862
248	Welland United	(P Linowry)	862
248	Le Bonafanters	(T Sholley)	862

The ITF players, their points and their values if you are considering the transfer option

Code	Name	Team	Em	Pts	Wk	OV
10101	M Watt	Aberdeen	1.50	0 -12		
10201	N Watt	Aberdeen	1.00	0 -14		
10301	D Swann	Arsenal	5.00	0 +33		
10401	V Bartram	Arsenal	0.75	0 0		
10501	J Liddle	Arsenal	0.75	0 +1		
10601	M Bosnich	Aston Villa	3.50	+5 +24		
10701	M Oakes	Aston Villa	1.00	0 +19		
10801	T Flowers	Blackburn Rovers	3.00	-6 -1		
10901	S Given	Blackburn Rovers	2.00	0 +4		
11001	G Marshall	Celtic	3.50	0 -1		
11101	S Kerr	Celtic	3.00	-3 +28		
11201	D Kharine	Chelsea	2.50	0 +10		
11301	K Hitchcock	Chelsea	2.00	0 -27		
11401	F Goodes	Chelsea	3.00	+4 0		
11501	S Ogilvie	Coventry City	1.50	-5 -31		
11601	J Fian	Coventry City	0.50	0 0		
11701	M Taylor	Derby County	1.00	-3 -7		
11801	R Hoult	Derby County	1.00	0 -34		
11901	A Macwell	Dundee United	0.50	0 0		
12001	L Key	Dundee United	0.50	0 -10		
12101	I Westwater	Dundee United	0.50	0 +4		
12201	N Southall	Everton	2.50	0 -24		
12301	P Gerrard	Everton	2.50	-3 +1		
12401	G Rousset	Hearts	2.00	+5 -7		
12501	J Leighton	Hibernian	1.50	-1 -27		
12601	D Lakovic	Kilmarnock	1.00	-1 -44		
12701	M Beeny	Leeds United	1.00	0 +5		
12801	P Evans	Leeds United	1.00	0 +5		
12901	N Martyn	Leeds United	2.50	-3 +30		
13001	L Pools	Leicester City	1.00	-4 -16		
13101	K Koller	Leicester City	1.00	0 -14		
13201	D James	Liverpool	5.00	0 +26		
13301	A Warner	Liverpool	0.50	0 0		
13401	P Schmeichel	Manchester United	5.00	+8 +12		
13501	R van der Gouw	Manchester United	1.00	0 -20		
13601	G Walsh	Middlesbrough	1.50	0 -23		
13701	A Miller	Middlesbrough	1.50	0 +3		
13801	S Roberts	Middlesbrough	2.00	+4 -3		
13901	M Schwarzer	Middlesbrough	2.00	+4 -3		
14001	S Howie	Motherwell	1.50	-1 -31		
14101	S Hilstop	Newcastle United	4.00	-1 -14		
14201	P Smith	Newcastle United	3.00	0 0		
14301	M Crossley	Nottingham Forest	0.75	0 -2		
14401	A Pettit	Nottingham Forest	0.50	-3 -53		
14501	S Thomson	Raith Rovers	5.00	0 +29		
14601	A Gorman	Rangers	2.00	-3 +4		
14701	K Pressman	Sheffield Wednesday	0.50	0 0		
14801	M Clarke	Sheffield Wednesday	0.50	0 0		
14901	D Bessant	Southampton	1.00	0 -28		
15001	N Moss	Southampton	0.25	0 +2		
15101	M Taylor	Southampton	1.00	-4 -2		
15201	L Perez	Sunderland	0.50	-1 -41		
15301	A Colon	Sunderland	1.00	0 +9		
15401	I Walker	Tottenham Hotspur	3.50	-8 -13		
15501	E Baardaan	Tottenham Hotspur	0.50	0 0		
15601	L Mikulsko	West Ham United	2.00	-1 -26		
15701	S Moustak	West Ham United	0.50	0 +5		
15801	N Sullivan	Wimbledon	1.00	-2 -5		
15901	P Head	Wimbledon	1.00	0 -1		



Middlesbrough have been buoyed by Juninho's goals — and ITF players are also dancing to a Brazilian beat

Code	Name	Team	Em	Pts	Wk	OV
30301	R Scimeas	Aston Villa	1.00	+4 +28		
30401	C Hendry	Blackburn Rovers	4.00	+4 +30		
30501	P Pearce	Blackburn Rovers	2.50	0 0		
30601	C Coleman	Blackburn Rovers	2.50	0 -3		
30701	N Marker	Blackburn Rovers	0.50	0 +2		
30801	T Boyd	Celtic	3.00	-2 +25		
30901	M McKay	Celtic	1.50	0 +37		
31001	A Subba	Celtic	3.50	0 +19		
31101	S O'Neill	Celtic	3.00	0 +2		
31201	E Anonli	Celtic	3.00	0 +4		
31301	M Duberry	Chelsea	2.50	0 +1		
31401	F Lebeuf	Chelsea	2.50	0 +29		
31501	F Sinclair	Chelsea	2.00	+3 -4		
31601	D Las	Chelsea	1.50	0 +1		
31701	A Myers	Chelsea	1.50	+5 +11		
31801	E Johnson	Coventry City	2.00	0 +5		
31901	L Daisi	Coventry City	1.50	-2 -5		
32001	R Shaw	Coventry City	1.50	-2 -1		
32101	G Green	Coventry City	1.50	0 +1		
32201	A Evtushok	Coventry City	1.50	0 +1		
32301	I Stinac	Derby County	2.50	0 -10		
32401	D Wassell	Derby County	2.50	-2 -1		
32501	P McGrath	Derby County	1.00	-1 +11		
32601	J Laurson	Derby County	0.50	-1 -5		
32701	M Carbon	Dundee United	1.00	0 +55		
32801	S Pressley	Dundee United	0.75	-1 -2		
32901	M Miller	Dundee United	0.75	-1 -14		
33001	I Don Bloman	Dundee United	2.50	-1 +15		
33101	D Unsworth	Everton	2.50	-1 +14		
33201	D Watson	Everton	2.50	-1 +14		
33301	C Short	Everton	2.00	0 +10		
33401	R McPherson	Hearts	1.00	+4 +27		
33501	P Ritchie	Hearts	1.00	+4 +27		
33601	J McLaughlin	Hibernian	0.50	0 +4		
33701	S Welsh	Hibernian	0.75	0 +9		
33801	G Hunter	Hibernian	0.50	0 -3		
33901	S Dennis	Hibernian	1.00	0 -19		
34001	M Reilly	Kilmarnock	1.00	0 +3		
34101	R Montgomery	Kilmarnock	0.75	0 +4		
34201	D Wetherall	Leeds United	2.50	0 +2		
34301	R Johnson	Leeds United	1.00	-1 +23		
34401	L Radebe	Leeds United	0.50	0 0		
34501	J Pemberton	Leeds United	2.00	-1 +24		
34601	R Molemar	Leeds United	1.00	-2 +12		
34701	S Walsh	Leeds United	1.00	-1 +10		
34801	J Watts	Leeds United	1.00	-1 +10		
34901	P Kaarmark	Leeds United	0.50	-1 +6		
35001	S Prior	Leeds United	1.00	0 +9		
35101	M Elliott	Leeds United	3.50	0 +24		
35201	P Babb	Liverpool	3.50	0 +32		
35301	M Wright	Liverpool	3.00	0 +14		
35401	N Ruddock	Liverpool	1.00	0 +28		
35501	K Matteo	Liverpool	2.00	0 +8		
35601	B T Kvarme	Liverpool	3.50	0 +13		
35701	G Pallister	Manchester United	3.00	+3 +34		
35801	D May	Manchester United	2.50	-1 +24		
35901	R Johnson	Manchester United	1.50	+4 +3		
36001	N Pearson	Middlesbrough	1.50	0 -12		
36101	S Walters	Middlesbrough	1.50	0 -10		
36201	D Whyte	Middlesbrough	0.75	0 -4		
36301	P Whelan	Middlesbrough	1.50	+3 +4		
36401	G Festa	Middlesbrough	1.50	0 +10		
36501	S Martin	Motherwell	0.75	0 +10		
36601	M van der Gaag	Motherwell	4.50	0 +18		
36701	P Albert	Newcastle United	3.00	0 +7		
36801	S Howey	Newcastle United	3.00	0 +7		
36901	D Peacock	Newcastle United	3.00	0 +7		
37001	C Cooper	Nottingham Forest	2.50	0 +12		
37101	S Chettle	Nottingham Forest	1.00	0 -5		
37201	S Blatherwick	Nottingham Forest	0.50	-1 -1		
37301	D Craig	Raith Rovers	0.50	-1 -1		
37401	M Mitchell	Raith Rovers	3.50	0 +57		
37501	R Gough	Rangers	3.00	-2 +15		
37601	A McLean	Rangers	3.50	-1 +31		
37701	J Bjorklund	Rangers	2.50	-1 +7		
37801	G Petric	Rangers	2.50	-1 +7		
37901	J Newsome	Sheffield Wednesday	2.50	+3 +33		
38001	D Walker	Sheffield Wednesday	0.25	0 0		
38101	B Lingham	Sheffield Wednesday	1.50	0 -18		
38201	K Monkou	Southampton	1.00	-1 +2		
38301	A Neilson	Southampton	0.50	-1 -5		
38401	R Dryden	Southampton	0.50	0 0		
38501	C Lundekvam	Southampton	1.50	+1 -12		
38601	U van Gobel	Southampton	1.50	0 +9		
38701	A Melville	Sunderland	1.00	+3 +7		
38801	K Ball	Sunderland	0.50	0 +11		
38901	R Campbell	Tottenham Hotspur	2.50	-3 +17		
39001	S Campbell	Tottenham Hotspur	3.50	+3 +6		
39101	J Scales	Tottenham Hotspur	2.50	-3 +14		
39201	C Calderwood	Tottenham Hotspur	0.50	0 -8		
39301	G Mabbott	Tottenham Hotspur	0.50	0 -8		
39401	S Nethercott	Tottenham Hotspur	3.00	0 -1		
39501	R Vega	West Ham United	2.50	0 +11		
39601	B Ellis	West Ham United	2.50	-2 +8		
39701	M Ripper	West Ham United	2.00	0 -2		
39801	S Potts	West Ham United	1.50	0 0		
39901	R Hall	West Ham United	1.50	+3 +4		
40001	R Ferdinand	Wimbledon	1.00	0 0		
40101	A Reeves	Wimbledon	0.75	0 0		
40201	A Pearce	Wimbledon	2.50	0 +18		
40301	D Blackwell	Wimbledon	0.50	0 +14		
40401	G Donis	Wimbledon	0.25	0 0		
40501	S Fitzgerald	Wimbledon	0.25	0 0		

Code	Name	Team	Em	Pts	Wk	OV
40101	D Windass	Aberdeen	3.00	+1 +35		
40201	S Glass	Aberdeen	2.50	0 +7		
40301	P Bernard	Aberdeen	2.50	0 +28		
40401	I Kirilov	Aberdeen	0.50	0 0		
40501	T Tzvetanov	Aberdeen	0.50	0 0		
40601	D Platt	Arsenal	4.00	0 +55		
40701	P Merson	Arsenal	4.00	0 +25		
40801	R Parfleur	Arsenal	1.50	0 0		
40901	G Helder	Arsenal	0.50	0 0		
41001	I Selley	Arsenal	3.00	0 +35		
41101	P Vieira	Arsenal	2.00	0 +5		
41201	R Garde	Arsenal	2.00	0 +9		
41301	S Hughes	Aston Villa	4.00	+2 +29		
41401	M Draper	Aston Villa	2.50	+1 +46		
41501	A Townsend	Aston Villa	2.50	+2 +35		
41601	T Taylor	Aston Villa	1.00	0 0		
41701	G Farrelly	Aston Villa	3.00	0 +21		
41801	S Curric	Blackburn Rovers	4.00	+2 +39		
41901	J Wilcox	Blackburn Rovers	3.50	0 +27		
42001	L Bohinen	Blackburn Rovers	2.50	+2 +23		
42101	G Flitcroft	Blackburn Rovers	2.50	+2 +23		
42201	W McKinlay	Blackburn Rovers	2.50	+1 +43		
42301	T Sherwood	Blackburn Rovers	1.50	0 +4		
42401	P Warhurst	Blackburn Rovers	1.50	0 +16		
42501	G Donis	Blackburn Rovers	1.00	0 +5		
42601	S Ripley	Blackburn Rovers	1.00	0 +5		

MIDFIELD PLAYERS

	Code	Name	Team	Em	Pts	Wk	OV
-1	40101	D Windass	Aberdeen	3.00	+1	+35	
+12	40102	S Glass	Aberdeen	3.00	+1	+19	
0	40103	P Bernard	Aberdeen	2.50	0	+7	
-3	40104	I Kirilov	Aberdeen	2.50	0	+28	
+2	40105	T Tzvetanov	Aberdeen	0.50	0	+21	
+9	40201	D Platt	Arsenal	4.50	+0	+30	
+14	40202	P Merson	Arsenal	4.00	0	+55	
+27	40203	R Parfleur	Arsenal	2.00	0	+25	
+2	40204	G Helder	Arsenal	1.50	0	0	
+39	40204	I Selley	Arsenal	0.50	0	0	
	40205	P Vieira	Arsenal	3.00	0	+35	
	40308	R Garde	Arsenal	2.00	0	+5	
	40309	S Hughes	Arsenal	2.00	0	+9	
	40210	S Hughes	Arsenal	2.00	0	+9	
	40301	M Draper	Aston Villa	4.00	+2	+29	
	40302	A Townsend	Aston Villa	2.50	+1	+46	
	40303	T Taylor	Aston Villa	2.50	+2	+35	
	40304	G Farrelly	Aston Villa	1.00	0	0	
	40306	S Curric	Aston Villa	3.00	0	+21	
-6	40401	J Wilcox	Blackburn Rovers	4.00	+2	+39	
+1	40402	L Bohinen	Blackburn Rovers	3.50	0	+27	
+37	40403	G Flitcroft	Blackburn Rovers	2.50	+2	+23	
+33	40404	W McKinlay	Blackburn Rovers	2.50	+2	+23	
+15	40405	T Sherwood	Blackburn Rovers	2.50	+1	+43	
+34	40406	P Warhurst	Blackburn Rovers	1.50	0	+4	
+63	40407	G Donis	Blackburn Rovers	1.50	0	+16	
+19	40408	S Ripley	Blackburn Rovers	1.00	0	+5	

NEWS

Major plays the economy card

John Major claimed that Britain was booming and raised the spectre of a return to industrial warfare under Labour yesterday as he tried to get back on the offensive after a faltering start to the election campaign.

Along with Kenneth Clarke, Michael Heseltine and other ministers, Mr Major played the economy card, helped by the latest trade figures showing the narrowing of the deficit to only £14 million in 1996. Pages 1, 9, 10, 18, 19, 27

Maze tunnel prompts call for inquiry

The Government was urged to review the prison regime in Northern Ireland after the most audacious attempt by the IRA in more than a decade to escape from the high-security Maze Prison. Inmates dug a 40 ft tunnel out of H Block 7, which houses notorious IRA terrorists. Pages 1, 4, 9

Living in shame

Couples living together "will bring down the institution of marriage", the Archbishop of Canterbury says and he calls for society to rediscover the concept of "shame". Page 1

Contract killer jailed

A contract killer brought over from Dublin to settle a gangland feud over drugs, "respect" and territory which has cost eight lives was jailed for life at the Old Bailey. Page 3

Taunts banned

A school for maladjusted children in Calne, Wiltshire, has been banned from using a system of taunting pupils to help them to control their anger. Page 5

Whisky ruling

A High Court judge ruled that the Isle of Man distillery producing Glen Kells, a clear "whisky" made from Scotch, could no longer call it that. Page 6

Orchids at risk

A 20-acre meadow near Bristol with rare green winged and pyramidal orchids may be ploughed up after campaigners failed half plans for quarrying. Page 7

Army plan welcomed

A former defence minister and a former Chief of Defence Staff welcomed the Army's decision to review its code of moral conduct, which would effectively remove the ban on homosexuals. Page 8

French remember why wine is healthy

A new study shows that three or four glasses of wine a day can help to prevent senile dementia in general and Alzheimer's disease in particular. One or two glasses a day showed no benefit, nor did more than four. The research, by scientists at Bordeaux University, was not funded by the wine trade: it was greeted with undisguised enthusiasm in France. Page 1

Teaching teachers

David Blunkett is to tell a teachers' conference about Labour plans for a network of "laboratory schools" so that trainee teachers can see their lecturers' ideas put into practice. Page 10

West Bank violence

The Palestinian Authority rejected Israeli demands for resuming talks and violence in the occupied West Bank and Gaza Strip meant that the peace process remained in crisis. Page 11

Berisha warning

President Berisha says he cannot guarantee the safety of aid convoys coming to Albania. He also revealed that he had considered resigning during the height of his country's crisis. Page 11

Zaire rebels advance

Two key cities at the heart of Zaire's mining industry seemed set to fall to rebels without a fight as President Mobutu sacked his Prime Minister. Page 13

Eurostar protest

About 250 striking workers from the Belgian Renault plant blocked the London-bound Eurostar and other express trains for two hours at a Brussels station. Page 14

Gingrich pressure

Conservative Republicans want their former champion Newt Gingrich, "the most powerful liberal in US politics", ousted as House Speaker. Page 15



Judges choosing the shortlist of 11 for the NatWest Art Prize for young artists at Gibson Hall, Bishopsgate, London, yesterday

BUSINESS

Economy: Britain achieved its best trading performance for more than a decade last year, almost clearing the deficit. Page 27

Hotels: Prince al-Waleed bin Talal, King Fahd of Saudi Arabia's nephew, is close to buying six of the hotels in the Princess chain from Lomro for £350 million. Page 27

Football shares: Alan Hansen, the television football pundit and adviser to the Singer & Friedlander football trust, is one of 14,000 disappointed applicants for Newcastle United shares. Page 27

Markets: The FT-SE 100 fell 40.0 points to close at 4214.8. Sterling's trade-weighted index rose from 96.7 to 97.4 after a rise from \$1.6038 to \$1.6126 and from DM2.6997 to DM2.7224. Page 30

SPORT

Football: Alex Ferguson, manager of Manchester United, welcomed the inclusion of David May in the England squad for the match against Mexico. Page 52

Rugby union: The France centre Christophe Lemaire was suspended for 30 days after being cited by the Scottish Rugby Union for a shoulder charge on Craig Chalmers in Paris. Page 45

Rowing: For the first time in years the Boat Race offers the prospect not just of a gruelling procession of endurance dominated by the leaders but a true contest. Page 52

Crickets: Ian Healy, the Australian wicketkeeper, was suspended for two one-day matches after showing dissent in the final Test against South Africa. Page 49

ARTS

Poetry pair: Seamus Heaney and Ted Hughes have compiled a second anthology, *The School Bag*. Find out why, and how to hear them reading from it. Page 36

Second opinion: Bernard Levin rejoices in the power of a sublime performance of Mahler's *Resurrection* that produced wet eyes at the Festival Hall. Page 36

Passion play: In Holy Week Richard Cork recalls how one of the greatest religious paintings, Piero della Francesca's *The Flagellation*, changed his life. Page 37

Asia calling: Ayub Khan Din gained film renown playing Sammy in *Sammy and Rosie Get Laid*. Now his name is in lights outside the Duke of York's as his play *East Is East* returns. Page 38

Better red: How does Colin Firth deal with the contrast between the Darcy codpiece and the red "Got Got Gunners" boxer shorts he has to wear in the film *Fever Pitch*? Mary Riddell finds out. Page 17

New wave: A consortium in the Yorkshire Dales has won the franchise for a radio station broadcasting to their region. Page 23

Free lawyers: The idea of barristers working without charge sounds like another lawyer joke. Frances Gibb reports on why more and more in the profession are taking it seriously. Page 39

Justice quest: Sulaiman al-Adani is a UK citizen who has taken his case alleging torture by the Government of Kuwait to the highest courts in the land. Why can't he get justice in Britain? Page 41

Four hundred thousand Americans die each year from tobacco-related illnesses and if 40 million to 50 million of their fellow countrymen continue to smoke, the remainder of the population is less and less inclined to pay for the ensuing healthcare expenses. The logic which is emerging is that of a system where the polluter must pay, just as oil companies pay for oil slicks. — *Le Monde*

TOMORROW

IN THE TIMES

■ **INTERFACE**
How British farmers are using computers to reap a high-tech harvest

■ **STYLE**
White is right this summer, so long as it's a trouser suit, says Grace Bradberry

AA INFORMATION

Latest Road and Weather conditions
UK Weather - All regions 0236 444 910
UK Roads - All regions 0236 441 410
Local HPI 0236 441 246
HPI and Link Roads 0236 441 247
National Motorways 0236 441 248
Continental Europe 0236 441 249
Channel crossing 0236 441 250
Holidays to Heathrow
A General Airport 0236 441 251
Weather by Fax 0236 441 252
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THE TIMES

INSIDE
SECTION
2
TODAY



ARTS
Power and Passion:
Richard Cork on
Piero's masterpiece
PAGES 36-38



LAW
Has this UK citizen
been let down
by our courts?
PAGES 39-41



SPORT
Boat Race crews
lined up for
test of speed
PAGES 45-52

**TELEVISION
AND
RADIO**
PAGES
50, 51

TUESDAY MARCH 25 1997

UK deficit of £14m the best for 11 years

By Janet Bush, Economics Editor

BRITAIN achieved its best trading performance for more than a decade last year, returning the balance of payments to virtual balance on the back of resilient exports and record earnings from invisible trade.

The deficit on Britain's current account shrunk to only £14 million in 1996, compared with £3.74 billion in 1995. This is the best trading performance since Britain ran a surplus of £2.25 billion in 1985.

John Major seized on the figures as proof that "Britain is booming thanks to people's hard work and Conservative policies". He said that the world had put its faith in Britain's goods and services and that this success would be put at risk by the election of a Labour government.

Kenneth Clarke, the Chancellor of the Exchequer, said: "This time we have healthy growth which is not running into the balance of payments problems which caused past booms to turn into busts."

In the last three months of last year, the current account recorded a surplus of £373 million compared with a £293 million deficit in the third quarter, much better than the £400 million deficit the City had been expecting.

The much-improved performance in late 1996 was largely because of a record quarterly surplus on trade in services, which rose to £1.94 billion from £1.70 billion in the previous quarter.

Britain's deficit in visible goods also improved, however, dropping to £2.58 billion in the fourth quarter from

£2.91 billion in the third. In 1996 as a whole, Britain ran a record £12.2 billion surplus on trade in invisibles which includes trade in services such as finance and insurance, as well as investment income earned by British companies abroad. In 1994 and 1995, the invisibles surplus was £8 billion.

Kevin Darlington, of Hoare Govett, said: "These figures pay testimony to the underlying resilience of the UK's trade performance and suggest that the combination of consumption-led, above-trend growth and the strong pound can be faced with equanimity in 1997."

However, other City voices were less optimistic. Jonathan Loyne, of HSBC Markets, said that next year the strong pound will hit exports and at the same time reduce the value of repatriated income from British companies' overseas investments, one of the strong features of yesterday's figures. He also predicted a current account deficit of £8 billion this year.

Other figures yesterday confirmed that the economy grew by 0.8 per cent in the fourth quarter, giving year on year growth of 2.6 per cent.

The main engines of growth were the services sector and spending by consumers, which increased by 0.9 per cent in the fourth quarter to 4.4 per cent higher than a year ago. However, spending appeared to be financed by rising incomes, rather than by falling savings. The savings ratio fell only slightly to 11.6 per cent from 11.7 per cent in the third quarter.

Mr Clarke noted that the savings ratio was historically high, and that this showed that "this boom is not a consumer bubble".

Fears of rate rises lower shares again

By Our Economics Correspondent

LONDON shares closed down for the sixth consecutive trading day, depressed by fears of higher interest rates in Britain and America.

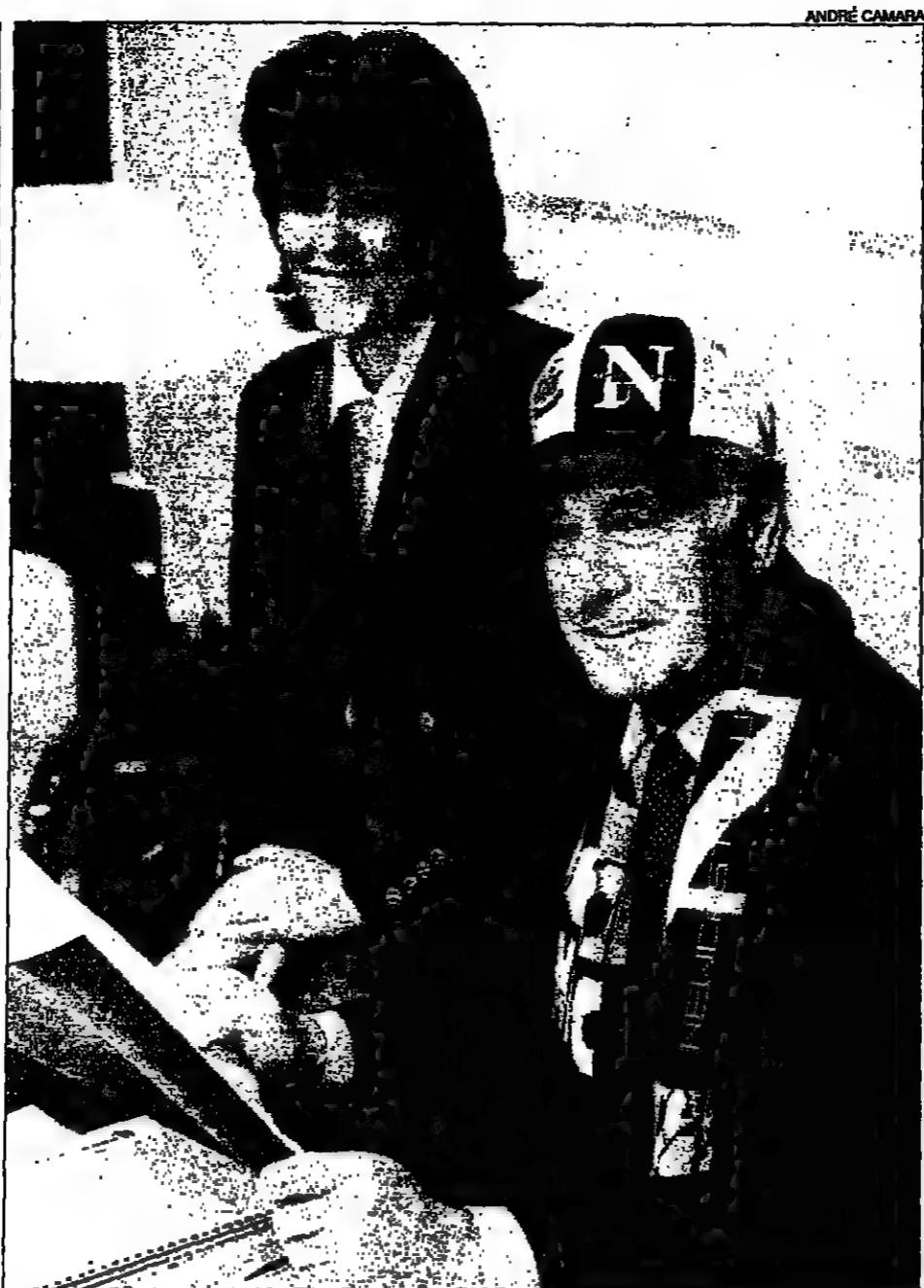
The FT-SE 100 index closed 40 points down at 4,214.8, its lowest level for two months. Since John Major called the election last Monday, the index has lost more than 200 points. The main culprit has been mounting speculation that British base rates will rise after the election and that US rates will be increased at today's meeting of the Federal Open Market Committee.

However, the London market has suffered more than most, suggesting there is also an element of political uncertainty in the selling. In spite of

common fears of higher US interest rates, the German stock market, for example, ended higher yesterday. This was largely because the dollar was buoyed by the prospect of higher US rates. This was interpreted as good news for German exporters.

The pound also strengthened on hopes of higher British rates and yesterday's healthy balance of payments figures which showed no adverse impact, as yet, from recent exchange-rate appreciation. Its effective index against a basket of currencies jumped to close at 97.4 from 96.7 on Friday.

Markets, page 30
Janet Bush, page 31



Jo Dixon, finance director, and Sir Terence Harrison, chairman, saw success for Newcastle's float

Hansen sent off at Newcastle

By Jason Nisse

ALAN HANSEN, the television football pundit and adviser to the Singer & Friedlander football trust, is one of 14,000 disappointed investors who were told yesterday that their applications for shares in Newcastle United were unsuccessful.

Only Newcastle's 8,500 season ticket holders and employees were given shares, even though the stake allocated to small investors was increased from 10 per cent of the float to 15 per cent. The shares have been priced at 135p, the top of

expectations, valuing the club at £197 million.

Mr Hansen applied for 25,000 shares, a move which was in sharp contrast to the attitude of Tony Fraher, who runs the Singer & Friedlander fund and has been highly critical of the Newcastle float.

Mark Corbridge, joint chief executive of Newcastle, said the retail issue was seven times oversubscribed and the offer to institutional investors attracted applications from more than 100 firms for £46 million of shares.

Leicester City is to ask shareholders approval for a £40 million float in the summer. Tom Smeaton, the chairman, wants to simplify the club's archaic shareholding structure, leading to a float that would raise more than £10 million to complete the redevelopment of the ground and buy new players. Shareholders in Aston Villa have approved plans to float the club with a valuation of up to £140 million.

Tempus, page 30

Lyonnaise and Suez shares up on talk of merger

FROM ADAM SAGE
IN PARIS

SHARES of Lyonnaise des Eaux, the French utilities group, and Cie de Suez, the holding company, rose sharply in Paris yesterday amid reports that they are planning to merge.

Although neither firm would comment, analysts said they expected an agreement by the end of the month.

The prospect of a merger between two of France's most powerful companies, with diverse interests in Britain, has excited political, financial and media speculation in Paris.

The deal would give rise to an international giant, but would create tensions both within French industry and between France and Belgium, where Suez controls an important utility group.

According to reports in Paris, Jérôme Monod, chairman of Lyonnaise, and Gérard Mestrallet, chairman of Suez, are likely to announce the merger next week.

Ethienne Davignon, chairman of Suez's Belgian subsidiary, Société Générale de Belgique, publicly acknowledged the possibility of a deal.

Lyonnaise shares rose by 2.14 per cent and Suez shares by 1.64 per cent as trading opened in Paris after a weekend of media speculation.

Lyonnaise, which made a profit of Fr906 million on a turnover of Fr98.6 billion last year, owns three English water companies — Northumbrian, Essex and Suffolk — and has interests in water treatment and waste management.

For Lyonnaise, the deal offers the hope of funds to finance its global ambitions. For Suez, which sold off most of its assets including the Banque Indosuez after the French property market crash of the early 1990s, it provides a *raison d'être*. It is cash rich but has few activities.

BUSINESS TODAY

STOCK MARKET MOVEMENTS			
FTSE 100	4214.8	(-40.0)	
Yield	3.92%		
FTSE All share	2061.29	(-17.31)	
Nikkei	19043.82	(-389.34)	
New York			
Dow Jones	8905.55	(+0.78)	
S&P Composite	782.98	(-1.12)	
US RATES			
Federal Funds	5 1/4%	(5 1/4%)	
Long Bond	96 1/4%	(96 1/4%)	
Yield	6.94%	(6.96%)	
LONDON MONEY			
3-month Interbank	8 1/4%	(8 1/4%)	
Libor long	10 1/4%	(10 1/4%)	
Future (Jun)	10 1/4%	(10 1/4%)	
STERLING			
New York	1.8170*	(1.8052)	
London			
\$	1.8122	(1.8037)	
DM	2.7217	(2.6997)	
FF	5.1529	(5.1141)	
SP	2.3501	(2.3287)	
Yen	197.99	(196.35)	
E index	97.4	(96.7)	
DOLLAR			
London			
DM	1.888*	(1.888)	
FF	5.6529*	(5.6529)	
SP	2.4589*	(2.4589)	
Yen	122.53*	(122.77)	
E index	104.1	(104.0)	
Tokyo close Yen	122.88		
NORTH SEA OIL			
Oil (June)	\$18.15	(\$18.15)	
Brant 15-day (Jun)	\$18.85	(\$18.00)	
GOLD			
London close	\$380.50	(\$382.85)	
* denotes midday trading price			

WPP to introduce share plan for staff

By Fraser Nelson

WPP, the advertising company, is introducing a share option programme for its 22,000 employees. The company has faced criticism over a share incentive scheme that could net Martin Sorrell, its chief executive, up to £28 million.

However, unlike Mr Sorrell, who receives free shares, rank-and-file employees must pay the market price at the time the shares are issued.

Staff with two years' service will each receive about 300 options every year. These can only be cashed in after a further three years, rewarding staff who have stayed with the company for a total of five years. The company said that the cost will be negligible, creating 3.6 million shares to the 470 million already in issue.

WPP hopes the scheme will encourage employees to remain longer with the company. At present, WPP has to replace about 17 per cent of its staff every year, a rate that is slightly higher than the industry average.

Mr Sorrell has gained shares worth about £6 million through his scheme, which is potentially worth £28 million over five years, taking advantage of a sharp rise in the share price. Yesterday the shares rose 1p to 253p, compared with a 1996 low of 157p.

The company, which owns Ogilvie & Mather and J Walter Thompson, said the new scheme would "give everyone a direct stake in the financial success of WPP".

Saudi prince sets his sights on six Lonrho Princesses

By Alasdair Murray

PRINCE al-Waleed bin Talal, the billionaire nephew of King Fahd of Saudi Arabia, is close to buying six of the hotels in the Princess chain from Lonrho for £350 million.

The deal, which is expected to be completed within a month, does not include the Princess hotels in Barbados and Bermuda which both have casinos attached and gambling is forbidden by Islam. Prince al-Waleed is expected to merge the hotels with Fairmont Hotels, based in San Francisco, in which he owns a 50 per cent stake.

The purchase of the Princess chain is just the latest step in a global shopping spree that has cost the prince billions of pounds. Last week he bought a 5 per cent stake in Trans

World Airlines. Earlier this year he paid Granada £104 million for the George V Hotel in Paris.

Prince al-Waleed also holds stakes in Euro Disney, Canary Wharf, Citicorp, the US banking company, and the Four Seasons hotel chain. Last year he linked up with Michael Jackson to establish Kingdom Entertainment, a family themed media and leisure business.

Lonrho placed the Princess chain on the market as part of its plan to demerge its hotel, trading and mining businesses.

The conglomerate earlier sold its Metropole chain in Britain to Stakis for £327 million. The disposal of the Princess chain would enable

Lonrho to carry out finally the disposal of its African trading business, leaving the rump Lonrho as a focused mining company.

In a separate development, the European Commission placed further restrictions on the voting power of Anglo-American, the South African mining company which holds a 28 per cent stake in Lonrho.

The Commission ruled that Anglo can only exercise votes equivalent to 1.7 per cent of the total capital of Lonrho while it completes a monopolies investigation into the platinum market.

Anglo acquired its shares in November 1996 from Dieter Bock, the former joint chief executive of Lonrho. Lonrho shares rose 3 1/2 p to 149 1/2 p.



Prince al-Waleed: likely to merge hotel chains

An amazing shopping list of worldwide investments

PRINCE AL-WALEED is snapping up investments at a remarkable pace (see Ashworth writes). Enriched by the Saudi construction boom of the 1980s, he employs key advisers in property, leisure and finance to guide him.

April 1988 — Part of consortium that takes control of United Saudi Commercial Bank in Riyadh.

April 1991 — Buys \$590 million of convertible stock in Citicorp, the US bank, and converts it into 14.8 per cent stake. Reduces holding to 9.9 per cent at reported \$268 million profit.

Early 1993 — Takes 11 per cent stake in Saks Fifth Avenue, the New York department stores group.

Early 1994 — Teams up with Accor, the French hotel group, in FF 1.6 billion bid

for Air France's Meridien hotels. Pipped by Forte.

June 1994 — Pledges to take up to 24 per cent stake in Euro Disney, the troubled theme park operator, ensuring its survival.

July 1994 — Buys 50 per cent stake in Fairmont Hotels, a San Francisco-based hotel chain.

September 1994 — Pays \$165 million for 25 per cent in Four Seasons, the Canadian hotel group.

July 1995 — Part of the consortium that buys 20 per cent of Silvio Berlusconi's television empire in a deal worth £700 million.

August 1995 — Teams up with CDL Hotels to buy the Plaza Hotel in New York for an undisclosed sum.

October 1995 — Part of the Paul Reichmann-led con-

sortium that buys Canary Wharf from the banks for £800 million.

December 1995 — Buys 50 per cent of the property that houses the Four Seasons hotel in London for \$50 million.

March 1996 — Appears at Paris press conference with Michael Jackson to announce creation of multimedia entertainment company based on "family values".

January 1997 — Buys Hotel George V in Paris from Granada for £104 million.

March 1997 — Buys 5 per cent stake in Trans World Airlines, the loss-making US carrier. Holding valued at \$14.5 million.

March 1997 — Set to buy Princess Hotels from Lonrho for \$800 million.

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Big job cuts to follow formation of CWC

By ERIC REGULY

THE creation of Cable and Wireless Communications (CWC) from the £5 billion merger of Mercury Communications and three cable companies will trigger a substantial redundancy programme, company officials said yesterday. Analysts believe that as many as 2,000 jobs, equivalent to 15 per cent of the workforce, could disappear.

CWC, whose shares are to begin trading on the London and New York stock exchanges by the end of next month, would not confirm or deny the figure, but said the

new group would seek extensive cost savings through the merger of various operations.

The four companies — Mercury, which is 80 per cent owned by Cable and Wireless, and the Nynex, Bell CableMedia and Videotron cable companies — have seven customer service centres and four network control centres. Nicholas Mearns-Smith, CWC's finance director, said: "We don't need that many."

Cost savings are one of the merger's driving forces. Mr Mearns-Smith said that off-setting the cable companies' losses against Mercury's profits would save about £100 million in corporate taxes over the next two years.

CWC will also have the ability to reduce the fees that it will pay to British Telecom to connect calls on its network. Mercury, with a national network, and the cable companies, with their local networks, will create a closed loop in many parts of the company, eliminating the necessity of leasing on to BT's system.

As the cable companies expand — they are halfway through a £12 billion capital expenditure programme — they will rely less and less on BT's network.

CWC will be 52.6 per cent owned by Cable and Wireless, 14.2 per cent by Bell, which recently bought Videotron, and 18.5 per cent by Nynex. Public shareholders will own the rest. The company will start with 1.1 million cable-TV customers and pro-forma turnover of £1.9 billion, based on year-end figures.

It said it planned to invest £2.3 billion over the next two years to expand the cable networks and make them ready for digital TV services.

Almost £300 million is to be spent on digital infrastructure and set-top boxes. CWC said an order for the first batch of set-top boxes was imminent.



Neil Ashley, left, chairman, and Eddie King, chief executive, hope to win work from Railtrack

Delay hits electricity customers

MORE than 1.3 million electricity customers will be excluded from the start of the competitive market for power because of a computer delay (Christine Buckley writes).

The problem is revealed just days after an all-party committee of MPs said that preparation for competition in household electricity was behind schedule and a delay to the April 1998 deadline should be considered.

The latest problem emerged after a warning from a meter manufacturer to the industry regulator that there is not enough time to update and test the memory and software of pre-payment meters used by six of the 12 English and Welsh electricity companies. Earlier this month Schlumberger told Ofwat that pre-payment meters used by Eastern, London, Northern, Seaboard, Southern and Sweb could not be upgraded and tested by the deadline.

Tempos, page 30

Grupo Torras debt-clearing is approved

GRUPO TORRAS, the subject of Spain's largest bankruptcy, was yesterday authorised by a court in Madrid to end its Chapter 11 status, to start paying off creditors, including the Kuwait Investment Office (KIO) in London, and to resume normal business (Edward Owen writes).

The paper, property and food group collapsed in 1992 with debts of \$5 billion. Legal investigations in London and Madrid have since sought to unravel financial engineering used by KIO's directors while they ran it.

Of total debt now of 217,307 million pesetas (£992 million), Torras will repay 11.58 per cent. Creditors owed up to £4,500 get 97 per cent paid.

Reed Elsevier to buy US drug-design software firm

By ERIC REGULY

REED ELSEVIER yesterday continued its push into electronic publishing with an agreement to purchase MDL Information Systems, a California company that helps scientists to design new drugs, for \$320 million.

Reed, which is owned by Reed International of Britain, and Elsevier, of The Netherlands, will pay \$32 a share for MDL, which is listed on the Nasdaq market.

The price is almost three times MDL's \$11-a-share flotation price in 1993, when the administrators who were overseeing the sale of Robert Maxwell's empire plucked MDL out of Macmillan and

offered the business in public investors.

Nigel Stapleton, the co-chairman of Reed, said that MDL will probably not enhance earnings this year but is expected to make a strong contribution in 1998.

In its last financial year, MDL generated pre-tax profits of \$11 million on turnover of \$62 million.

MDL was founded in 1975 and helps researchers to design drugs on desktop computers. Its database of chemicals is in graphical form, providing pictures of molecular structures in two and three dimensions. The software used to access the database is

Amey rises to record on boost from PFI

By FRASER NELSON

ORDERS from the Private Finance Initiative helped Amey, the construction group, to double pre-tax profits last year to a record £11 million (£5.32 million).

The company, which has established itself as a market leader in transport infrastructure, said cash from operating activities had grown to £25 million (£5 million) over the period. It said that it was now in the front line for the £16 billion which Railtrack intends to spend on line improvements over the next ten years.

Its facilities management division, which looks after the infrastructure of factory plants and military camps, won a five-year contract from the Navy, worth £45 million over five years. It now manages a total of 60 establishments for the Armed Forces.

Profits from its roadworks division were lifted with an £85 million contract to look after motorways and trunk roads around north London, including the M25.

Earnings rose to 21.1p (12p) over the year, and the dividend is 9p (7.1p). A final 6p is due on May 30, its shares, which have quadrupled in value over the past 14 months, rose by 1.5p to a near-high of 47.8p.

William Baird sells off five companies

WILLIAM BAIRD, the clothing manufacturer, sold off five non-core businesses for £23 million yesterday to an institutional buy-in company led and partly financed by 3i, the venture capital group. The businesses are: Bridal Fashions, supplying bridalwear and accessories; Praxis Tailoring, supplying ladies tailoring; Joshua Wardle, a commission dyer, finisher and printer; Robenau Toys and Cowley Designs, part of Continental Imports, supplying artificial flowers, Christmas products and gifts. The businesses will continue under their existing managements.

At December 31, 1996 the book value of the net assets being disposed of was £23.5 million and the businesses made an aggregate operating profit of £2.8 million in the year to that date. The estimated book value of the net assets at disposal is £26.1 million and, after taking account of goodwill previously written off, the aggregate loss on disposal of these businesses is about £3.4 million.

Bemrose advances

BEMROSE CORPORATION, the stationery printer, lifted its pre-tax profits for 1996 to £23 million, from £16.8 million. Letts, the publisher of diaries, which was acquired last year, made an eight-month contribution of £4 million to operating profits. Group turnover rose to £195 million, from £148.8 million. Earnings per share were 37.5p (33p). The dividend rises to 15.1p (13.9p) with a final 9.75p due on May 19. Bemrose shares fell by 8p, to 43.8p, yesterday.

Ulster TV optimistic

ULSTER TV, the ITV company in Northern Ireland, said yesterday that it is "cautiously optimistic" of returning to real growth this year despite the arrival of Channel 5 and the increasing numbers of cable-TV customers. The company reported pre-tax profits of £9 million (£8.2 million) in the year to December 31, which includes an exceptional gain of £500,000. A final dividend of 2.85p is due on April 7, making a 5.1p (4.5p) total. The shares fell 1p to 166p.

Lehman Brothers ahead

LEHMAN BROTHERS took advantage of the boom in US financial markets to achieve a 38 per cent rise in net profits to \$144 million in the first quarter of this year. The increase follows record results from many other Wall Street investment banks and Lehman's own record profit in the fourth quarter of last year. The firm said that total net revenues were up 13 per cent to \$925 million compared with the same time last year. Its pre-tax profit margin rose to 23.7 per cent (19.2 per cent).

T&S plans expansion

T&S STORES, the Supergrims, Dillons convenience store and newsagents group, plans to double the number of its convenience stores by the year 2000 to more than 500. It will reduce its Supergrims and newsagents outlets, leaving around 875 stores, a net rise of 70. Last year it added a net 90 stores. In the year to December 28, pre-tax profit was £17.7 million (£15.5 million). Earnings per share were 16.79p (16.13p). A 4.75p (4.3p) final dividend, payable on May 30, gives a 7.75p (7.1p) total.

Northern Leisure up

NORTHERN LEISURE is to raise £10.8 million from a rights issue to expand its disco business. Northern is making some of the offering available to new institutional shareholders at 218p a share to broaden its investor base. Existing institutional shareholders will be offered one new share for every 17 held at the same price. The company reported a 47 per cent rise in interim pre-tax profits, to £3.7 million. The interim dividend rises by 25 per cent, to 2.5p, due on June 2.

VCI to start sales unit

VCI, the multimedia publishing company, is launching a direct sales unit for its video and audio products as it steps up expansion plans. Michael Grade, chairman, said that VCI is aiming to build up its product portfolio to benefit from all opportunities available from fast-evolving media platforms. VCI yesterday reported a 13 per cent rise in full-year pre-tax profits, to £9 million. The total dividend rises by 10 per cent, to 7.8p, with a final dividend of 5.5p payable on April 7.

Tilbury rail link revival planned

By CHRISTINE BUCKLEY
INDUSTRIAL CORRESPONDENT

FORTH PORTS, the Scottish ports group that also owns Tilbury Docks on the Thames, proposes to restore rail links at the southern port.

The company, which bought Tilbury nearly two years ago, has acquired 28 acres of land and track next to the port from British Rail's Property Board, which it wants to develop as a dedicated rail facility. Forth Ports says it is in advanced talks with three large rail operators.

In 1996 Forth Ports lifted pre-tax profits by 45 per cent to £22.2 million as the company gained contributions from Tilbury and Dundee. Turnover jumped 79 per cent to £84.7 million. Tonnage at the ports increased to 53.7 million tonnes from 48.7 million.

The final dividend of 9p lifts the total 12 per cent to 13p, due May 23.

Challenge for CDC as profits fall

By ALASDAIR MURRAY

THE Commonwealth Development Corporation, the UK state-owned investment vehicle, yesterday opened a debate about its future as it reported a 10 per cent fall in full-year profits to £97 million.

Roy Reynolds, chief executive, said CDC faced a challenge to find adequate levels of finance to exploit its potential. He said growth rates are expected to improve across CDC's markets, including sub-Saharan Africa, and it remains well placed to play an important role in these economies.

CDC has a total of £1.56 billion invested in nearly 400 projects. New investment rose 10 per cent to £305 million last year. CDC is currently considering investment proposals totalling £742 million. The average return on capital over the past three years is 8.2 per cent.

Pennington, page 29

Unit trust sales boom

By ROBERT MILLER

UNIT trusts enjoyed their best-ever month in February with total net sales of £1.4 billion, the highest monthly figure for more than six months.

The Association of Unit Trusts and Investment Funds (Autif) said yesterday that funds under management with 159 unit trust and life companies rose by £2 billion to £140 billion last month.

Net sales of general personal equity plans (Peps) in February rose to £447 million, compared with £280 million

the previous month, while sales of corporate bond Peps remained steady at £85 million. Sales of unit trusts in general, and those linked to Peps in particular, should be even better this month as the last-minute rush to beat the taxman before the start of the new fiscal year on April 6 gets under way.

Most encouraging to Autif, however, is the rapid growth in the number of unitholder accounts, which rose to 8.2 million in February compared with 6.8 million a year ago.

TOURIST RATES

Bank	Bank	Bank	Bank
Buy	Sell	Buy	Sell
Australia \$	2.13	1.97	
Austria Sch	20.01	18.51	0.851
Belgium Fr	20.70	24.40	2.951
Canada \$	2.10	2.10	2.25
Cyprus Cyp£	0.842	0.787	10.48
Denmark Kr	10.87	10.07	284.00
Finland Mk	6.57	7.99	6.88
France Fr	9.52	8.97	284.00
Germany Dm	2.28	2.25	12.32
Greece Dr	44	41.6	2.29
Hong Kong \$	13.05	12.05	195.00
Iceland Iskr	120	100	1.570
Ireland P	1.07	0.98	
Israel Shk	5.89	5.04	
Italy Lira	2081	2061	
Japan Yen	211.00	195.00	

Rates for small denomination bank notes only as supplied by Barclays. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

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*From an independent survey, circulated in June 1994 by the faculty of IT of the ICAEW.

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Société Générale Strauss Turnbull, the broker, the price opened at 177½p before closing at its best of the day with a rise of 30¢ at 205½p. There was also support for Helphine, the car washing and vehicle repair specialist, after a placing by Williams de Broé, the broker, at 100p. After opening at 102½p, the price

strong Princess Hotel chain lifted Louisa 3½ to 149½p. Shares in ICI touched 682½ before settling at a new low of 650p. Brokers on the day of 12/21p. Brokers have continued broadening their profit projections after a similar move by Kleinwort Benson last week.

First-time dealings in Diagnostics set off a lively start

Brokers reported solid demand during first-time trading in **Heal's**, the department store group, placed at 175p by

ICI: SHARES HIT NEW

First-time dealings in Diagonal got off to a flying start

More than doubled pre-tax profits were good news for TransTec, with the price adding 8p at 117½p, while a solid set of profits and upbeat comments about current trading lifted EBC Group 3p to 53p. A profits setback was greeted with a fall of 14½p to 165p at Plasmapac.

Institutional investors appeared to discount the fourth-quarter GDP, choosing instead to focus on today's meeting of the FOMC meeting and tomorrow's auction. Gains at the longer end of the market were restricted by the issue of \$972 million of Housing Corporation loan stock 2021.

The June series of the long gilt finished £18 dearer at £109¹¹/₁₆ in modest trading, which saw 52,000 contracts

100

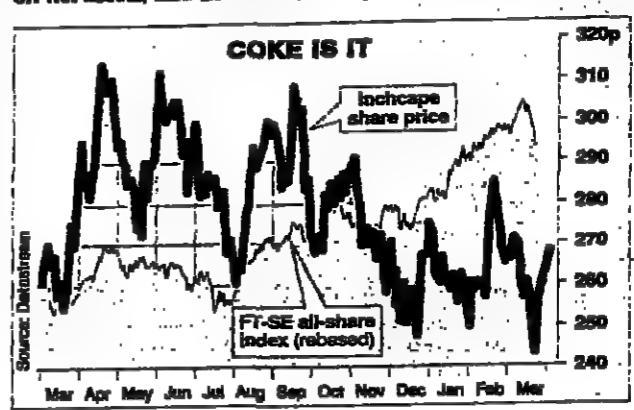
COKE

Source: Datastream

FT-SE stock index (m)

Mar Apr May Jun Jul Aug Sep

Month	Share Price (pence)
Oct	285
Nov	300
Dec	260
Jan	290
Feb	315
Mar	280



Armitage Shanks brand in the Far East.

The \$164 million purchase of St Marys Cement Corporation looks a good deal struck at a reasonable price.

The Canadian company has a quarter share of the market in Ontario, home to four out of ten Canadians, and made profits of \$22 million last year. Blue Circle expects St Marys to produce an immediate improvement in its earnings.

Blue Circle will get little help from France, Germany and Italy this year, but it should still make steady progress.

Newcastle United

WHEN Newcastle United played Charlton Athletic in the FA Cup earlier this season, a draw in London was followed by a resounding victory in Newcastle.

The gap between the clubs off the field is even wider. Charlton's float was a flop.

but Newcastle shares should not suffer the same fate when trading begins a week on Wednesday.

With 14,000 disappointed retail investors and about 50 unhappy institutions shareless after yesterday's allocation, there is certain to be demand on day one. Likewise, the entire sector should not be consigned to the rubbish bin because of a few dodgy issues; Kwik Save is not a reason to sell Tesco.

However, the prospects for Newcastle shares are less than rosy. The club will have to raise £100 million to fund the building of its new stadium.

um and the redevelopment of St James Park. Shareholders are bound to be asked to fund a large chunk; the prospect of a rights issue in a year's time will choke off excess demand. Newcastle fans will ensure that the shares go to a premium, but they are not cheap and it is pointless to chase them.

EDITED BY CARL MORTISHED

ICI

Source: Datastream

FT-SE all-share index (rebased)

Share price

Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar

1050
1000
950
900
850
800
750
700
650

[illegible]

LONDON FINANCIAL FUTURES						
	Period	Open	High	Low	Sell	Vol
Long Gilt						
Previous open interest: 20320	Mar 97	109.27	109.27	109.15	109.28	
	Jun 97	109.11	109.18	109.07	109.10	
German Govt Bond (Bund)						
Previous open interest: 237130	Jun 97	106.04	106.04	94.89	103.13	125591
	Sep 97	94.35	94.35	94.02	94.30	810
Italian Govt Bond (BTP)						
Previous open interest: 100833	Jun 97	126.35	125.43	126.18	124.31	57727
	Sep 97	124.10	124.20	124.50	124.55	08
Japanese Govt Bond (JGB)						
	Jun 97	125.14	125.33	125.04	125.05	1904
	Sep 97	125.74	125.88	125.74	125.74	116
Three Mth Sterling						
	Jun 97	91.32	91.33	91.18	91.32	12532
	Sep 97	91.25	91.06	91.01	91.04	4947
Previous open interest: 439435	Dec 97	92.81	92.81	92.78	92.81	12756
Three Mth Eurosmk						
Previous open interest: 1143423	Jun 97	92.67	92.68	92.68	92.68	94286
	Sep 97	92.57	92.53	92.50	92.50	548
Three Mth Eurodls						
Previous open interest: 247163	Jun 97	92.00	92.02	92.03	92.04	29833
	Sep 97	92.09	92.13	92.04	92.06	11610
Three Mth Euroyen						
	Jun 97	98.94	98.94	98.94	98.94	0
	Dec 97	98.94	98.94	98.94	98.94	0
Three Mth Euroswiss						
Previous open interest: 33607	Jun 97	98.11	98.14	98.10	98.13	2737
	Sep 97	98.07	98.13	98.10	98.10	548
Three Mth ECU						
Previous open interest: 20440	Jun 97	99.05	99.07	99.07	99.08	734
	Sep 97	99.04	99.05	99.01	99.01	362
FTSE 100						
Previous open interest: 62654	Jun 97	4275.0	4282.0	4273.0	4276.0	10546
	Sep 97	4275.0	4282.0	4273.0	4276.0	0

DOLLAR RATES	
Australia	1.2698/1.2714
Belgium (Com.)	1.189-1.190
Canada	94.40-94.87
Denmark	1.7364-1.7371
Germany	3.4000-3.4020
France	5.9890-5.9700
Great Britain	1.6892-1.6897
Hong Kong	1.1478-1.7480
Ireland	1.1570-1.1573
Italy	1.9400-1.9402.50
Japan	1.2291-1.2292
Malaysia	2.4780-2.4790
Netherlands	1.9390-1.9399
Norway	6.7187-6.7207
Portugal	14.939-17.003
Spain	163.00-163.01
Spain	163.38-163.41
Sweden	7.8350-7.8425
Switzerland	1.4759-1.4760

OTHER STERLING	
Argentina peso	1.0100-1.0122
Australia dollar	2.1625-2.0240
Bolivia int.	3.5993-3.6100
Brazil real	1.7222-1.7030
China yuan	1.1031-1.0460
Colombia peso	3.7820-3.8145
Finnish markka	0.30758-1.3535
French franc	1.6666-1.6667
Great Britain	1.0000-1.0000
Hong Kong dollar	1.2748-1.2818
Indian rupee	57.04-58.00
Indonesian rupiah	1.6666-1.6667
Korean won	0.0411-0.0110
Malaysian ringgit	2.4780-2.4790

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Treasury Bills: Overnight high: 6 1/8		Low 5 1/2		Week fixed: 6	
Discount Rates: 2 month 6 1/8; 3 month 5 3/4; 3 month 5 1/2					
Prime Bank Bills (Discount)	6 1/8%	1 month	3 months	6 months	12 months
Starting Money Rates	6 1/8%	6 1/8%	6 1/8%	6 1/8%	6 1/8%
Overnight: Open B, close 6 1/8	6 1/8%	6 1/8%	6 1/8%	6 1/8%	6 1/8%
Local Authority Deposits	n/a	n/a	6 1/8%	6 1/8%	6 1/8%
Secured CDs	6 1/8%	6 1/8%	6 1/8%	6 1/8%	6 1/8%
Dollar CDs	5.56	n/a	5.64	5.70	6.12
Building Society CDs	6 1/8%	6 1/8%	6 1/8%	6 1/8%	6 1/8%

EUROPEAN MONEY DEPOSITS (%)					
Currency	7 day	1 month	3 months	6 months	12 months
Dollar	5-5 1/2	5-5 1/2	5-5 1/2	5-5 1/2	5-4
Deutschmark	3-3 1/2	3-3 1/2	3-3 1/2	3-3 1/2	3-2 1/2
Swiss Franc	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2
Yen	n/a	n/a	n/a	n/a	1-par

GOLD, PRECIOUS METALS (Baird & Co)					
Bullion: Open \$351.50-351.80	Close \$350.00-351.00	High: \$351.40-351.60			
Low: \$348.05-348.55	AM: \$350.45	PM: \$350.20			
Krugersand: \$349.75-352.75	\$326.50-318.50				
Platinum: \$375.25 (\$233.35)	Silver: \$5.16 (\$3.18)	Palladium: \$148.00 (\$95.05)			

LATEST SPOT AND FORWARD RATES				
Mkt Rates for March 24	Range	Close	1 month	3 months
Amsterdam	1,057.1-1,063.6	1,059.4-1,071.7	1-1/8	2-1/8
Bruisels	58,035.56-58,240	58,116-58,226	15-100	42-350
Oslo	10.1-10.1 1/8	10.106-10.108		
Dublin	1,021.1-1,026.7	1,024.0-1,025	6-200	17-11 1/2
Frankfurt	2,716.5-2,728	2,720.4-2,725	4-200	2-100
London	272.1-273	272.165-272.1	1-1/8	
Madrid	230.59-231.27	230.87-231.7	25-200	32-13 1/2
Milan	271.7-272.84	272.3-272.7	25-200	61-600
Paris	2,708.2-2,712	2,708.2-2,712	0.50-1/2	1.10-1/2
New York	1,020.1-1,021	1,017.1-1,012	0.75-5/8	0.243-0.212
Oslo	10.746-10.823	10.824-10.833		1-1/8
Oslo	9,103.0-9,150	9,177.8-9,182		61-600
Stockholm	12.252-12.318	12.295-12.318		
Tokyo	197.3-198.10	197.88-198.10	1-1/8	2-25/8
Zurich	19.115-19.174	19.148-19.163	1-1/8	11-11/8
Zurich	2,247.2-2,254.8	2,248.2-2,251.5	1-1/8	2-25/8

Source: Eder
Premium - pr. Discount - ds

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THE TIMES CITY DIARY

Cherries picked for video aid

A LOCAL film company has come to the rescue of AFC Bournemouth. In an effort to save the 98-year-old club that fell into receivership earlier this year, Feature Films, of Poole, has compiled a fundraising video. Made in four weeks, with a budget of £31,000, the video features interviews with players past and present, including Jamie Redknapp, now at Liverpool, and his father Harry, a former club manager now in the hot seat at West Ham. It is hoped that *Pick of the Cherries - Keeping the Dream Alive*, priced at £14.95 a copy, will raise about £100,000 for the club that is £4.5 million in debt - not to mention club morale.

Food for thought

THROUGHOUT his ten years at Inbcape, Rod O'Donoghue, the outgoing finance director, has been demanding that bacon butties be circulated before the start of the group's annual results meeting. So, in time for his last on-stage appearance yesterday, before O'Donoghue heads off to become a full-time author, the corporate affairs team pulled out all the stops and delivered him his fill.

Clarke's new role

FOLLOWING in the featherweight footsteps of Lord Lawson of Blaby, Kenneth Clarke is turning to the movies. The Chancellor will make a cameo appearance in a new suspense thriller, *Blindfold*, produced by *Beachcroft Stanley*, the City-law firm. Taking the part of the forensic officer, the jury, Clarke goes head to head with David Hunt MP, the former Cabinet minister, who makes an appearance as the judge. *Blindfold*, a thriller, *Beachcroft Stanley*, means the show in the role of a roguish businessman.



"We are still Maggie fans - it's just that we couldn't get shares"

Emergency exit

DAVID PACEY is feeling shaken and stirred after he kicked a £600 hole in his Aston Martin. The head of Clockwork Leasing, a Soho film and TV equipment company, was hurrying to a meeting when he jumped into his £80,000 car, only to hear a repeated clicking each time he turned the key. Realising the battery was dead and the doors were locked electronically, Pacey panicked and kicked out the passenger window. "There I was trapped in my car and the adrenalin took over," he said. "I lifted myself out like Batman or the Dukes of Hazard." Yes, but they don't have an emergency button under the dashboard that unlocks the doors automatically.

THE Duke of York will be the first Royal to attend the Yorkshire Business Conference, now in its third year. Alongside speakers FW de Clerk, Robert Kennedy Jr, and Rory Bremner, he will present a new award to the organisation or individual who has made an outstanding contribution to the promotion of Yorkshire's international commercial reputation.

MORAG PRESTON

Executives keen to deal with nuts and bolts of the euro

Business is pragmatic on the single currency, says Philip Bassett

In the City splendour of the Tallow Chaudlers' Hall tonight, Howard Davies, deputy governor of the Bank of England, will set out the financial establishment's view of the single currency: a careful, considered analysis of the pros and cons of in or out - though without making any judgment about what the economically correct course of action for Britain might be.

In the staff restaurant of BOC's gas research division in a business park behind a hospital in Guildford, Surrey, the splendour is a little more muted. While the worthy denizens of the Management Consultants' Association wrestle with the big economic and political questions raised by economic and monetary union in the City tonight, at BOC in Guildford, a small roomful of businessmen and women has been wrestling with the component but perhaps more important issue of the single currency and how it will work.

Mr Davies' private speech to a closed gathering in the City comes on the 40th anniversary of the signing of the Treaty of Rome, which led to the formation of what is now known as the European Union. At BOC's Surrey-Research Park premises, the historical aspects of the single currency took, second place to the practical.

"Will the ecu still be calculated, once EMU starts, if the UK stays out?" asks Michael Speelman, from the BOC group. Such questions - the answer he gets, by the way, is no: the ecu will disappear once the euro comes into existence - are a long way from the high politics of the single currency. But for much of British business, they are what matters. Political and economic leaders can battle about such big issues: business is increasingly realising that whatever the UK's big decision about EMU, it is business that will have to get on with it.

Yesterday's report from the 100 Group of finance directors of Britain's largest companies suggested that British industry is as yet ill-prepared for the single currency. To try to counter that, the Bank of England, with the Confederation of British Industry and the British Chambers of Commerce, are running a series of local seminars with the specific brief of avoiding EMU's big political questions and concentrating instead on offering detailed advice to businesses about what to do in the 450 business days before it starts.

Guildford is the latest. Near the constituency of the single currency's main Conservative opponent, John Redwood, who yesterday cancelled the launch planned for tomorrow of his

PLANNED TIMETABLE FOR THE INTRODUCTION OF THE EURO

Year	Event
1993	EMI established
1995	Madrid changeover scenario agreed
1996	Conversion reports produced by Commission and EMI
1997	Year for which convergence data will be assessed
1998	Regulatory, organisational and logistical framework for ESCB to be published by EMI
1999	Irrevocable locking of conversion rates; euro becomes a currency in its own right; Single monetary policy commences; ECB operations and new issues of government debt all dominated in euro; wholesale financial activity expected to move rapidly to euro denomination
2000	Latest date for introduction of euro banknotes and coins; beginning of mass changeover of retail activity to euro; end of legal transition period
2001	Dual legal tender period
2002	Bulk of public administration changeover

Source: Bank of England

Any time between 1999 and 2001

While this may sound silly, in practice it isn't. There are now rules in place, for instance, specifying that euro conversions must be done to six "significant" decimal places. To Conservative Euro-sceptics, this is the worst sort of pedantic fussing from Brussels. To businesses who might otherwise lose considerable amounts of money if such rules are not in place, such precision is vital.

In an evening meeting last week, 45 businessmen and women - nine women in total, the rest then in safe Surrey business suits - listened to a gaggle of business economists and a lawyer. Each makes a ten-minute speech, all around the same theme. The single currency is coming. Never mind the politics, it's coming. So do something about it: review your practices, review your contracts, review your computer systems. Review them all, and change them: because business across Europe is already doing so, and if you don't want to lose out, you must do it. And do it now.

To help, the Bank has prepared a neat practical guide to the euro - when it will happen, what it will look like, how it will affect IT systems. The graphic shows the detailed timetable from the Bank for the implementation of the euro - whether or not Britain takes part.

In its guidance, the Bank is not exactly overestimating current knowledge of the euro. One question, for instance, asks: "Will conversion from pounds into euro be simple?"

and helpfully replies: "Yes, but you'll need a calculator." While this may sound silly, in practice it isn't. There are now rules in place, for instance, specifying that euro conversions must be done to six "significant" decimal places. To Conservative Euro-sceptics, this is the worst sort of pedantic fussing from Brussels. To businesses who might otherwise lose considerable amounts of money if such rules are not in place, such precision is vital.

The Guildford meeting is an eclectic combination of companies from across the South of England, large and small: IBM and Mars, Toshiba and T1, Barclays and Seaboard. But John Moore Associates, and Linde Hydraulics too. Martin Charman, from International Factors, for instance, wants to know whether the single currency will be "compulsory" - whether small firms will have to trade in it, just because larger firms will. (They will.) Mike Wilson, from Thomas De La Rue, wonders whether company accounts will have to be denominated in euros (for financial years starting from "around the beginning" of 2002, they will; the Bank can't yet be more precise). Never mind Euro-sceptics

like John Redwood, or Euro-philles like Unilever's Niall Fitzgerald. In Guildford, there is no question about who the villains of the single currency are, at least so far: IT companies. Firm after firm stands up and complains that IT is letting them down - especially external software houses, which despite their glossy image, are seen as under-resourced and overreliant on one or two young, gifted but overstretched technicians.

Already wrestling with the millennium computer problem, when many computers are expected to fail to recognise the year 2000, IT firms are seen as both vital in preparing for a single currency, and largely either incapable or unready to do so. Glenn Davies, of Credit Lyonnais, tells the Guildford meeting: "The IT industry has not grasped that the single currency is going to happen. They are asking - is it going to happen? Well, yes, it is."

Eventually, Greg Hawes, a consultant for IBM, has to stand up to defend the IT corner, acknowledging that it is a "basic truism that IT professionals find it easier to deal with preparing for a situation when they know what the rules are going to be." The "resource problems" of dealing with the computer reprogramming for a

single currency are "not just daunting", he said, "they are positively frightening." Frightening the pre-EMU problems for business may be, but the clear evidence of the Guildford meeting is that business is coming to know that it will have to get on with them.

The EMU timetable provides for a period of dual legal tender, for instance, between euros and national currencies. Clive Robinson, a project manager in the IT section of Consequential Union, said: "We are praying it won't be a long dual currency operation. Because that's going to cost us an arm and a leg." The evening's panel of experts can't unfortunately offer much comfort for his potential amputation.

In an Harrison, of Court-aids, provided probably the most cogent business view of the evening. Court-aids, he said, had been thinking hard about the single currency, and had identified a number of key issues. The IT problems were sharp, but resolvable, as were the legal and treasury issues, which the professionals could handle.

The bigger problems were of strategy and operation. With 25 subsidiaries operating in a range of European countries, the opportunities offered by EMU for coherence and coordination were clear, but the scale of change necessary to achieve them was large. And the strategic questions were significant: would a company like Court-aids, operating in so many countries, now be disadvantaged for instance against those operating in only one?

Even such large problems, though, carefully eschewed the political dimension. But it couldn't be avoided completely. Roy Hitchens, chairman of the CBI's South East region and chief executive of Staveley Industries, took a vote - and the results showed business in Guildford at least to be, on wholly pragmatic grounds, out of step with the Government's policy on EMU.

Asked whether the single currency will start as planned on January 1, 1999, the local business leaders were unequivocal: only three did not think it would; 93 per cent thought it would. Asked whether Britain would be in by, say, the end of the current timetable, in 2002, and they were if anything clearer - only two thought Britain would not: 96 per cent thought it would.

Such a sample can be dismissed, especially from the vantage point of high politics or City gatherings, as unrepresentative. But the practical judgments are not so easily discounted. As Mr Harrison put it: "It seems to us that if we have got to do it, then we might as well get it over with." And what will that mean in practice? "We will do it from April 1, 1999."



Little need to panic on pay

The financial markets are betting that the US Federal Reserve will finally launch its pre-emptive strike against inflation today. The message from Alan Greenspan, Fed Chairman, was pretty clear last week when he emphasised the need to act before inflationary pressures are obvious.

The economic background and the debate about interest rates is very similar in America and Britain. Although producer and retail prices remain subdued, there is fear that tightening labour markets as unemployment falls will inevitably push up wages.

In Britain there was a mini-panic after last week's news that annual growth in average earnings had risen to 5 per cent in January, a rise of a full percentage point over the space of three months. Although statisticians put this down largely to bonus payments in services, particularly financial services, this has been a considerable increase. In America, too, earnings have started to lift.

On the other hand, unit labour costs have been subdued in both countries, courtesy of big productivity gains.

Wage rises paid for by increased productivity are, by definition, not inflationary. In Britain, while earnings growth has started to creep steadily upwards, manufacturing unit wage costs have fallen sharply with the three-month annual rate falling to 3.1 per cent in January, the lowest rate since August 1995.

In both countries wages growth has been weak given huge falls in unemployment to well below levels regarded in the past as compatible with non-accelerating prices. This phenomenon has widely been attributed to flexible labour markets. But evenjecting a frightening dose of job insecurity into the equation, it is naive to suggest that there will never be a demand for higher wages. After all, they are the reward for success, whether at the level of the company or the economy.

Naturally, as the pool of available spare labour becomes scarcer as unemployment falls, the balance of power between employer and employee shifts. Joseph

Carson of Deutsche Morgan Grenfell provides some illuminating examples from America. In 1994, when the Fed launched an aggressive pre-emptive strike against inflation, wage growth was slow despite fast job and economic growth. Mr Carson suggests that this is because cutbacks continued in several industries and labour was fighting to secure jobs, not win pay rises.

But having won job security three years ago, American workers are now looking for big wage gains. The Big Three car manufacturers agreed a deal which gave workers a 4 to 5 per cent gain in wages and benefits over a three-year period, a big improvement on the previous contract. Competition for staff in the airline industry has forced up wage agreements. After United Airlines gave its pilots and mechanics a 5 per cent pay rise for two years, American Airlines had to raise its own pay offer.

And, in a warning to some of Britain's fat cats, Mr Carson notes that, in 1994, General Electric workers had to make concessions on pay and conditions despite record sales and profits.

But, seeing their chief executive earn \$30 million last year, he suggests that GE workers are in the mood to demand big pay rises this year.

In Britain, pressure may come from a different source. As David Walton of Goldman Sachs points out, average earnings growth in the private sector has recently been running at around 5.5 per cent compared with only 3 per cent in the public sector. Whoever wins the election might find that the patience of public sector workers is exhausted.

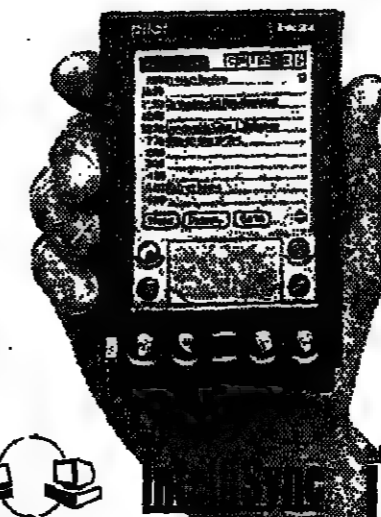
Flexible labour markets have no doubt improved the inflationary performance of the American and British economies given a specified level of unemployment but they have not banished wage pressures entirely and why should they in successful economies? But there is little need to panic. Interest rates will rise in America and Britain because their economies are growing strongly. But, courtesy of flexibility, the monetary tightening will be no more than some sensible fine-tuning.

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Converting societies unfair to minors

From Ms Trish Wylie
Sir, I would like to draw attention to an injustice being perpetrated by building societies undergoing conversion to PLC, against members under the age of 18.

Members under 18 will not receive shares because of the building society's conversion policy, but instead a cash bonus of 10 per cent of the balance in their accounts, which, in the majority of cases would mean far less than the estimated value of shares - £750 - being given to members over 18.

In reply to a letter from myself questioning their policy, the following statement was made by the Woolwich Building Society: "In framing the terms of the proposed Share Distribution Scheme, the board has chosen to align eligibility for free shares to voting entitlement. The Building Societies Act 1986 and the Society's Rules provide that, in order to vote at a General Meeting of the Society, a member must be at least 18."

However, these two points are not connected. The board is entitled to treat minors equally and have chosen to exclude them and therefore effectively stolen money from members not entitled to vote.

I think this outrageous for several reasons:

□ Disqualifying members with accounts that would otherwise qualify purely because of their age appears to be ageism in reverse.

□ These young people have

Bonuses should reflect wealth creation

From Mr Jonathan Wheatley
Sir, As a shareholder and an account-holder for many years I have watched the emergence of NatWest's "Hole in the bank" with considerable interest.

It may be argued that the complex derivative markets such as futures, options and swaps actually contribute very little to the creation of real wealth but are merely instruments by which manipulation and manoeuvre of currencies inevitably yield gains for some and losses for others - but margins for the ringmasters. Rewards should therefore relate to the creation of wealth rather than the mere movement of liquid resources.

Yours faithfully,
JONATHAN WHEATLEY,
11 Saxonbury Gardens,
Long Ditton,
Surrey.

serious doubts as to whether the salaries committee of the company should feel entitled to make any bonus award to him whatsoever.

It is not also the case that the award of any bonus whatsoever is indicative of a performance which has added rather than impaired the performance of the executive's area of responsibility? If the answer to these simple questions is "Yes" then the chief executive of NatWest Markets is in no position to gratuitously announce that he will only retain £500,000 as his 1996 bonus and there must be

From Mr Ted Higgins
Sir, As a Barings preference shareholder who attended the Treasury Select Committee meetings, I am puzzled and dismayed at the comparative severity of the penalty imposed by the Securities and Futures Authority on Mr Ian Hopkins ("SFA bans Hopkins as director", March 12).

Mr Hopkins was by far the most credible witness to appear before the committee. He showed a willingness to answer questions and accept his part in the Barings debacle, which was in marked contrast to some others who gave

Barings whistleblower must be wishing he kept whistle in his pocket

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Mr Hopkins was by far the most credible witness to appear before the committee. He showed a willingness to answer questions and accept his part in the Barings debacle, which was in marked contrast to some others who gave

evidence. One can only conclude that his treatment at the hands of the Securities and Futures Authority owed more to his attitude to that body than his original offence.

The chairman of the Securities and Futures Authority says that Mr Hopkins didn't blow the whistle loudly enough. Perhaps no one wanted to hear the message. Given

the size of recently reported City bonuses, Mr Hopkins must be wishing he had kept his whistle in his pocket and simply jumped back on the gravy train at the first available opportunity.

Yours faithfully,
TED HIGGINS,
6 Brayton Gardens,
Enfield,
Middlesex.

Letters intended for publication in the Business and Finance section of The Times should include a daytime telephone number. They can be sent by fax on 0171-782 5112.

Olympic stadium fails to win gold

FROM RACHEL BRIDGE
IN SYDNEY

AN AMBITIOUS A\$365 million (about £183 million) public share offer to raise money to build the stadium for the Sydney 2000 Olympic Games looked set to fail yesterday, with at least two-thirds of the 34,400 gold memberships available still unsold.

Stadium Australia, a consortium that includes Multiplex, the Australian construction group, and Obayashi Corporation, a Japanese contracting giant, hoped private and corporate investors would leap at the chance to buy one of its gold packages for A\$10,000.

These guarantee each investor a seat to all Olympic events held in the stadium, including the opening and closing ceremonies, as well as 1,000 units in an investment trust stapled to shares in Stadium Australia Management, to be floated on the Australian stock exchange later this year.

Membership also entitled investors to stadium club membership for 30 years from 1999, free entry to most sporting events after the Olympics and access to an exclusive lounge and dining area.

Potential investors, however, thought differently and Macquarie Bank, Deutsche Morgan Grenfell, ANZ Securities and ABN Amro, the four joint underwriters to the offer, now look likely to be left with unsold packages worth about A\$240 million when the offer closes on Thursday. Critics blamed the timing and complexity of the offer.

This is despite an attempt by Stadium Australia to boost demand by widening the offer to corporate players overseas and extending the offer deadline by three months. The A\$615 million stadium at Homebush Bay, about 12km from the centre of Sydney, is expected to be completed in March 1999.

Chemicals group defies Europe malaise to top £100m

Morgan Crucible confident despite difficult market

BY MARTIN BARROW

MORGAN CRUCIBLE, the specialised industrial chemicals and services group, said demand is strengthening, with order intake running almost 7 per cent ahead of last year, despite mixed trading conditions, particularly in mainland Europe.

Bruce Farmer, managing director, said: "Market conditions are not easy but we are not dependent on a single economy or industry and look forward to another good year."

Yesterday the company reported a near-18 per cent rise in pre-tax profits to £100.2 million in 1996. Operating profits from continuing operations rose 12.2 per cent to £112.2 million, with a £7 million contribution from acquisitions. Operating margins improved to 12.7 per cent from

12 per cent. Turnover was 6 per cent higher at £897.5 million, with acquisitions accounting for £32 million. Redundancy and reorganisation costs were £4.2 million, compared with £4.1 million previously.

The company said South-East Asia and North America showed the strongest growth, although the US was restricted by disputes in the automotive industry and downturns in parts of the electronics and defence sectors.

Conditions in the UK were mixed. Mainland Europe suffered from lack of economic recovery in Germany and France and, in the fourth quarter, Italy underwent a severe downturn.

The Asia Pacific region showed steady, continuous growth, with the exception of

Japan and Australia. Net capital expenditure was £54.7 million, an increase of 14.4 per cent on the previous year.

Dr Farmer said: "The investments we have made over recent years in broadening Morgan Crucible's product portfolio within its core divisions, together with the widening of its geographical base, are producing good results for shareholders."

Capital expenditure is expected to be around £50 million in the current year. Expenditure on research and development is expected to be little changed from £13.7 million last year.

Underlying earnings rose 13 per cent to 28.7p a share. The full-year dividend is increased to 14.6p a share from 13.8p, with an 8p final. The shares fell 6p to 46p.



Graham Swetman, left, finance director, and Bruce Farmer

Brammer lifts its profits 31%

BY OUR CITY STAFF

BRAMMER, the European industrial services group, raised pre-tax profits by 31 per cent, to £28.2 million, in the year to December 31 on sales up 12 per cent, to £205 million. The shares responded with a 5p rise, to 62p.

The total dividend for the year rises from 14.25p to 16p, out of earnings up from 31.5p to 40.7p.

Hugh Lang, chairman, said: "In the first two months of 1997, our results were ahead of those for the same period last year. However, we are finding market conditions more difficult than a year ago. In the UK, industrial activity is less buoyant than the economy as a whole and in mainland Europe, particularly in France and Germany, economies are suffering as their



Lang: tougher market

governments strive to meet the EMU convergence criteria."

He said that Brammer was again planning for growth, although at a lower rate than in the past three years. Full-year contributions from last year's acquisitions would aid results.

Appleyard dividend faces cut

BY OUR CITY STAFF

SHARES in Appleyard fell 5p to 60p after the vehicle distributor said that on April 14 it expects to announce pre-tax profits of £3.2 million for 1996, down from £7.8 million in the previous year, and that the total dividend for the year would be cut to 4.7p from 6.2p in 1995.

Appleyard also said it had decided to split the roles of chairman and chief executive. Mike Williamson, current group chairman and chief executive, will relinquish all executive duties on December 31 and become non-executive chairman. The company said it is at an advanced stage in the appointment of a new chief executive.

Copper price fall hits Antofagasta

BY CARL MORTISHED

THE falling price of copper has hurt the profits of Antofagasta Holdings, which has extensive mining and transport interests in Chile.

Copper production rose from 84,000 tonnes to 92,500 tonnes. However, a 22 per cent fall in the price of the metal, after the Sumitomo copper trading scandal, has more than halved Antofagasta's mining profits.

The company's pre-tax profits for the year to December 31 fell from £78.2 million to £44.6 million in spite of record tonnages carried by the company's rail link from Chile to Bolivia, because of increased copper production. Profits from the railway increased from £5.7 million to £7.2 million and tonnages are expected to benefit from in-

creased mining activity in the Atacama desert.

Antofagasta sold its banking interests to Quinenco in exchange for a 39 per cent stake in the Chilean industrial group controlled by the Lukic family and headed by Andronico Lukic, who also chairs Antofagasta.

The mining division faces big expansion, with plans for turning the Los Pelambres underground mine to an open-pit operation. Two Japanese consortia have agreed to take a 40 per cent equity stake in the project and have signed long-term contracts for 400,000 tonnes of the 740,000 tonnes of copper concentrate output.

Antofagasta is maintaining the dividend at 6.5p, after earnings per share of 19.3p (35.3p).

MRM loss mars year for Taylor Nelson

TAYLOR NELSON AGB, the market research company, suffered a decline in pre-tax profits to £5 million from £6.5 million in 1996. The results were affected by a £1.5 million trading loss at MRM Distributions, which has since been sold, giving rise to a £2.5 million charge. Continuing operations lifted pre-tax profits 19 per cent to £9 million on turnover that improved 12 per cent to £84.2 million.

Dr John Treasure, chairman, said the core business performed strongly, with substantial improvement in the consumer, healthcare and media divisions. Cash generation was strong. A final dividend of 0.41p a share lifts the total to 0.8p (0.7p). Earnings fell to 1.18p a share from 2.02p. An encouraging start had been made to the current year, he said.

Burford joint venture

BURFORD HOLDINGS, the property group, has entered a conditional joint venture agreement with Ian Schrager, the American hotelier, to create a chain of hotels throughout Europe. Burford shares rose 1½p to 133½p. The property group said both parties will be investing equally in the new venture. At this stage, Burford said, the joint venture is earmarking an investment of about £100 million in the development of the European hotel business.

Jacobs payout rises

JACOBS HOLDINGS, the shipping, transport and property group that made a recommended bid for Ropner last month, raised pre-tax profits for 1996 to £3 million from £196,000 in the previous year on sales up 81 per cent to £41.7 million. Earnings per share rose from 1.9p to 3.4p, leaving total dividends for the year up 50 per cent to 1.875p. Sir Wilfrid Newton, chairman, said the company viewed the coming year with enthusiasm and considerable confidence.

Tulow at the double

TULLOW OIL, the Irish exploration company, with operations in Africa, India, Pakistan as well as the UK, yesterday reported a 97 per cent increase in annual pre-tax profits to £12.3 million. The company estimates reserves in its core areas at not less than 65 million barrels of oil equivalent. Turnover for 1996 was up 11 per cent to £15.87 million, while earnings per share were up to £1.07p from £1.06p in 1995. There is again no dividend.

Nestor-BNA wins deal

NESTOR-BNA, the supplier of temporary medical personnel and domiciliary care workers, has won contracts with St Mary's in London, North Manchester and Southend Health Care NHS trusts that are expected to generate more than £8 million turnover in the first year. There was a pre-tax loss of £2.02 million for 1996 after a £9.6 million charge. Profits were £6.3 million in the previous year. The total dividend rises to 3.47p a share from 3.15p, with a 2.2p final.

Severfield-Reeve higher

SEVERFIELD-REEVE, the specialist engineer and supplier of equipment for the meat and poultry processing industry, said it had made a strong start to the current year, with orders at a record. Pre-tax profits rose to £4.53 million from £2.22 million in 1996, lifting earnings to 16.34p a share from 9.66p. The total dividend rises to 5.25p a share from 3p, with a 3.5p final. Turnover improved to £66.12 million from £59.21 million, with a £26.1 million contribution from acquisitions.

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THE TIMES

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A look at Middlesbrough's chances of overturning the Premier League's decision to deduct three points earlier this season.

FLIGHTS

51 pairs of Virgin Atlantic tickets to Johannesburg to be won.

CHANGING TIMES

http://www.the-times.co.uk

Shami Ahmed

SHAMI AHMED.
BUSINESSMAN.

Luckily for his 2,000 employees, Shami Ahmed isn't about to start taking the advice of envious racists. He's worked too long and hard to start listening to those who, on the one hand profess to love Great Britain, but in actual fact contribute nothing but discrimination and hatred.

'GET BACK TO WHERE I CAME FROM? COULD YOU JUST RUN THAT BY THE 2,000 PEOPLE I EMPLOY?'

Shami Ahmed, for all those unfamiliar with the name, is the man behind the legendary Joe Bloggs clothing label.

Born in Pakistan, he was just a year old when his family moved to Britain. In 1976 after leaving school he began work full time in the family business - buying and selling major denim clothing brand names.

Ten years after he started work he reckoned he'd learnt enough about the business to start his own label. And as the saying goes, the rest is history.

It's no exaggeration to say that Joe Bloggs revolutionised British fashion.

Easily accessible and affordable street clothes, new collections launched every month, instead of once or twice a year and the endorsement of celebrities such as World Champion boxer Prince Naseem and West Indian cricket ace Brian Lara.

With the success of the Joe Bloggs label, Shami diversified and now presides over a company that is worth millions.

Of course he knows that some people, because of their bigotry, will put his success down to pure luck. But rather philosophically he says "Just think, if it wasn't for that word luck, people who hate you wouldn't have any way to explain your success".

The reality is that Shami Ahmed has got where he is today by persistent hard work, determination and by having an eye for the main chance.

However, he's quick to point out that he's not the only one to benefit from all this success.

With hundreds of suppliers it means jobs are being created all the time, (which in a small way improves the unemployment figures of the country).

These employees will all have an income, which means spending power, which ultimately means a small boost to the economy of the nation.

Of course Shami Ahmed alone doesn't make all that much difference to the economy, but the fact is there are thousands like him throughout Britain.

People from ethnic minorities who have started businesses and keep thousands of British people employed and earning. That's what Roots Of The Future is all about.

Roots Of The Future is an exciting new initiative that we hope will reach everyone.

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A travelling exhibition aims to reach the hundreds of thousands of people who visit arts and museum venues around the country and a colourful and informative book called Roots Of The Future will be available at the same time.

The book charts the history of people who came to Great Britain and how they contributed, and continue to contribute, to our economic cultural and social development.

For details of how to get hold of a copy of the book Roots Of The Future please call 0181 986-4854, or for any aspect of the initiative call the CRE on 0171 932-5357.

So the next time you hear someone say 'send them all back home' hopefully you'll reply, 'Them? They're us.'



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هكذا من الأصل

■ LITERATURE

Seamus Heaney and Ted Hughes explain why they have assembled a new poetry anthology

■ DANCE

Lloyd Newson courts controversy again with his new work for DV8, *Bound To Please*

THE TIMES
ARTS

■ MUSIC 1

Mahler the magnificent: Bernard Levin rejoices in the power of *Resurrection*

■ MUSIC 2

... while John Eliot Gardiner casts intriguing new light on the music of Robert Schumann

The madman rises again

SECOND OPINION: Bernard Levin worships at the shrine of Mahler's *Resurrection*

Here is a puzzle. We get the little enough of Mahler these days, and when we do have some, and the wonderful C Minor, the *Resurrection* to boot, we find that the experts have ignored it — or at least I can find not a single review. Damn it, Mahler was an outcast for much of his life, and now he is dead there is nobody but the audience to tell the world of his greatness. But the audience at the Festival Hall on March 11 made up for everything — at the end I thought the roof would cave in. (The conductor was Benjamin Zander, the soprano Nancy Argenta, the mezzo-soprano Jean Rigby, the Philharmonia, the orchestra and the chorus was the Philharmonia Chorus.)

Mahler was one of the most remarkable musicians ever born — far stranger than Bruckner and indeed Wagner. To start with, those giants must have thought the Viennese had a lunatic among them, and Hans von Bülow (who had greatly admired Mahler's conducting) said of Mahler's works that they made him sick. (Many might have had the same feeling when they discovered that the Second Symphony was written by a man of 27.)

Yet the baby madman, reviled by the critics ("noise", "bombast", "cacophony"), held on to his belief — the belief that one day the world would understand. Already, there were those at the premiere who wept, and today, when the greatness of Mahler and his Second Symphony is known to all, there were many in the Festival Hall whose eyes were wet — indeed, I was one of them.

Glory. That is the only word for what we heard. Those who were not there (Festival Hall was packed from side to side) lost a jewel, and a jewel that we would never forget. The shape of the Second Symphony looks slightly askew: "Allegro maestoso, Andante moderato, Scherzo, *Urlicht*, and Finale", but Mahler knew what he was about, and the sections fitted like Heaven's greatest jigsaw.

Glory, I say, and glory I mean. This work is called by the composer *Resurrection*, and that is what he meant. He made it clear — oh, very clear indeed, when he wrote: "The earth quakes, the graves burst open, the dead arise... The great and the little ones of earth — kings, and beggars,

righteous and godless... The Last Trump is heard — the trumpets of the Apocalypse ring out... You shall arise... A wondrous, soft light penetrates to the heart... And behold — it is no judgment — there are no sinners, no just. None is great, none is small. There is no punishment and no reward. An overwhelming love lightens our being. We know and are."

And that was not a part of the work: it was a letter written to explain the work. (Though surely it needs no explanation, or anything else.)

Mahler wrote his own texts: well, that was obvious — as obvious as saying that he wrote his own music. It is not Shakespeare, but it has a

6 Glory. That is the only word for what we heard.

power and a wonderful gentleness — both together. And that comes, of course, from Mahler's deep and profound honesty. There was nothing but the truth, and there is not a word that does not come from the heart — and deep in the heart as well.

There was another moment — a tiny one, though touching — in which Mahler's power could be felt. In the programme, the English text was put beside the German one, and the first part of the text of *Urlicht* ended at the bottom of the page. There was a gentle reminder to the audience not to rustle the programme, and we did not. In these cases there is invariably someone who cannot help coughing. But this time there was such a profound and full silence as I have never heard in all my 40 years of music-going. Why? Because what had gone before was so powerful that all noise stopped entirely.

So where were the critics after so stupendous a work, where were they on so stupendous an evening? Tut, but there is more than tut to say. We can forget the critics and indeed forgive them. But we, the audience, came out with our eyes blazing, and when the critics pulled themselves together and woke up, they realised that they had missed one of the most glorious evenings of music we had had. *Serve the others right.*

I must end with those words of Mahler, those words which speak to Heaven and are spoken from Heaven. The last words of the Second Symphony of Mahler, the *Resurrection*: "Die I shall, so as to live! Rise again you will my heart, in a brief What you have beaten will carry you to God."



Seamus Heaney, left, and Ted Hughes say that if *The Rattle Bag* was the playground in a school of poetry, *The School Bag* is a complementary anthology for the classroom in that school

Bags of wobble and flop

Ted Hughes and Seamus Heaney reveal what prompted them to compile a new poetry anthology, *The School Bag*

Ted Hughes and Seamus Heaney are together again. That is the news from the literary world. A few years ago they co-operated to bring out a very successful anthology of poetry called *The Rattle Bag*. Now they have produced another poetry anthology, *The School Bag*, and they will both be on the stage reading from it at a forum in London on April 14.

What prompted them to do the new book? Heaney says that while *The Rattle Bag* was meant to be a "carnival of poetry", *The School Bag* is more like a checklist. They wanted to do something which would cover ground that they more or less took for granted when they did the first book — "something going from the age of Caedmon to the age of Auden, taking in the canonical names, roaming to America and Australia."

The other motivation for him, he says, was "the sense of restoration and confirmation you get from going through the word-board at this stage of life. I really enjoyed revisiting the first sites of my own reading, that whole memory bank of stuff that sustains your taste and your conviction. It was great to reopen that ground, and especially to do so with Ted."

Hughes agrees: "We always thought of *The Rattle Bag* as an anthology for young readers — or at least for those young in heart. As if we'd imagined ourselves back to 13 or 14, then picked our secret favourites from all we now know. Thinking of a school of poetry, *The Rattle Bag* is the playground — and that made us wonder about a complementary anthology, one for the classroom in that same school of poetry."

One feature of the new book is that each poet is represented by only one poem, or passage of poetry. Why did they decide on that?

Hughes says it was a leveling device. "The emperors have, to some extent, been stripped of the grand robes of their richly supportive other works. Each stands just as naked as the many other poets who have produced only one masterpiece. We found this made us look at them all with fresh eyes. We want readers to do the same."

"We wanted people to see the gleam of the hoard rather than wanting to give them an inventory of the entire holdings," Heaney adds.

Also, he says, "Christopher Reid, who was on the ball as our editor at Faber, came up with an idea of the book as a kind of flow-chart, each poem being somehow in dialogue with those around it."

"Wordsworth's *Resolution and Independence*, for example, which is really a poem about the leech-gatherer as *Doppelgänger*, is now situated between an extraordinary Dafydd ap Gwylm poem called *The Shadow* and Wilfred Owen's *Strange Meeting*, and this gives an extra dimension to your reading of all three of them."

Although the book does not say so anywhere, *The School Bag* only goes up to poets who were, as Hughes puts it, "of combat age or came of age during the Second World War". Why did they choose that cut-off point? "To my ear," Heaney says, "the title *The School Bag* suggests a book concerned with cultural memory rather than the contemporary scene."

"Some of the most interesting poems in the book were written by that last generation about that war," Hughes says. "One can see now, I

think, that they felt themselves to be full inheritors of the First World War, and of their national history before that. For the generation that followed, the world seemed to fall open in a new way. It was "a distinct and convenient watershed between the generations."

One poet who appears in the anthology has for long been considered a joke by poetry lovers — the rollicking Victorian, William McGonagall. But his poem *The Tay Bridge Disaster* is there, and both of the editors defend the decision to include it. Hughes is eloquent about it: "Marianne Moore is the most fastidious, most excruciatingly careful, exacting and sophisticated wild poet of this century. Ogden Nash is unfailingly one of the funniest. Stevie Smith plays her naive part with demonic intelligence and a perfect ear."

"Behind all these, at some oblique angle or other, is McGonagall. How is it that his every flung-away line gives you such a lift? But it does. Such

a draught of liberation. Don't dismiss McGonagall."

"The wobble and flop of McGonagall is the signature of his genius," Heaney observes.

There are many translations from Irish, Welsh and Scots Gaelic in the book, and both editors regard this as essential to the whole idea of the anthology. They wanted to present the entire family tree of our poetry, and, Heaney says, "there was never any doubt in our minds that the roots of this tree are largely made up of the early poetic literatures of Ireland, Scotland and Wales, along with the Anglo-Saxon."

Both editors also firmly believe in the value and pleasure of memorising poetry. In the book itself, Hughes gives a suggestion for remembering a poem — invent a vivid image to associate with each line, and if those are conjured up, the lines will come back too.

Heaney says that "memorised poetry stays with you all your days as a kind of mental fossil fuel. You tap into a cable that hums with all the energies and veteran knowledge of human language at its surest and richest."

For more information and details of how to book tickets for the forum, see coupon below

No mistaking this message

DANCE
Bound To Please
Arts Theatre,
Cambridge

LLOYD NEWSON is one angry choreographer, and this time round his anger is apparently directed at classical ballet. The dancers of his DV8 company are not beautiful embodiments of comfortable aesthetic clichés, but raw, aggressively honed weapons in Newson's personal crusade against empty-headed decoration on the dance stage.

His latest production, *Bound To Please*, which received its British premiere at the Arts Theatre in Cambridge last week, jumps between themes — youth versus age; conformity versus individual expression; the hypocrisy of social etiquette versus the honesty of painful confrontation. But, in Newson's eyes, ballet — or at least the prettier forms of dance — represents the downside to every one of his arguments.

Ian MacNeil's set is a brilliant and adaptable forum for the physical realisation of Newson's ideological premise. It glides and rotates, and seamlessly shifts from ballet studio to block of flats, from intimate bedrooms to noisy

clubs. The excellent lighting, by Jack Thompson, is also a vital component in a most effective theatrical staging.

The dancers are all highly individual performers (they would have to be, given Newson's hatred of dancing automatons), none more so than the 68-year-old Diana Payne-Myers, the unlikely star of this show. The first image you see is of her flustering through a lovely port de bras, circling the stage like a miniature ballerina on a music box. The contrast between the sugar-coated delicacy of the familiar figurine and the bitter spice of the real-life sexagenarian is not lost.

Again and again Payne-Myers is the ballast of Newson's argument, most poignantly in an extraordinary duet with Liam Steel in which

eloquent hand gestures are used to create an intense erotic friction between the older woman and the much younger man. Their subsequent scenes together become more overt, until finally — in open defiance of ballet's need for both youth and physical perfection — Payne-Myers's naked body is seen in a doorway, clinched in a heated embrace with Steel. The intimacy of such hard-hitting moments is set against the impersonal group grope of the party scenes, but

these are far less revealing and far less convincing, only exacerbating the lack of coherence in Newson's scenario.

Classical ballet, with its rigorous pursuit of uniformity and the ideal image, is the perfect metaphor for conformity and the scene in which Wendy Houston fights a rebellious battle against the unbending rules of the ballet class brings a much-needed levity to the show. Newson, that great enemy of classical ballet, must have taken great delight in here building arabesques and fouetté turns into his dance language.

Elsewhere his language is obsessive, repetitive and self-flagellating. Newson is no stylist: his dancers are free to move in whatever way feels most natural to them. But when it comes to his message, Newson is a strict disciplinarian. And like many a proselytiser, he doesn't always recognise the point at which committed expostulation turns into the wearisome harassment of his audience.

DEBRA CRAINE

Soul of Schumann

CONCERT
The Royal Academy of Music

IT IS some years since Roger Norrington's *Experience* weekends brought to London historically-aware performances in a concentrated flurry of concerts and illustrated talks. John Eliot Gardiner's Schumann Weekend at the Barbican was not billed as an "experience", though it shared many features of those earlier memorable occasions, not least the underlying concept that by recreating the musical forces of the period and focusing on a few works by one composer, his music would emerge in a new light. This idea was reflected in the title of the series (there will be a second weekend in the autumn): *Schumann Revealed*.

It is a sign of how quickly the historically-aware movement has moved into main-

stream orchestral repertoire that the different sonority created by period instruments is no longer a novelty. Yet one revelation of hearing the two versions of the Fourth Symphony was the impact created by the shift from natural to valved horns: the familiar revised version of the early 1850s is a much weightier affair than its manifestation of a decade earlier, and the less strident sound of valved horns seemed integral to the change in conception.

Fascinating as it was to hear the symphony in both forms, as well as the Violin Concerto and the Overture, Scherzo and Finale, and reassuring as it

was to find that the use of period instruments does indeed resolve the supposed problems of Schumann's orchestration, the real revelation came with the most familiar work of all: the Piano Concerto in A minor. This was partly because of the instrument — a magnificent Strehler Grand of 1850 — and partly because of the partnership between soloist and orchestra: Gardiner's *Orchestre Revolutionnaire et Romantique* bringing a rarely heard precision to that subtle interaction which is so often fudged in perfor-

mances by modern orchestras (especially in the slippery, ebullient last movement).

Mostly, however, it was because of Robert Levin's brilliant playing. Completely at home on his instrument, and at ease technically, he gave a thoroughly convincing account, full of panache and insight.

The Violin Concerto was a less happy affair, and not just because it is a strangely uneven piece. Here the soloist, Thomas Zehetmair, seemed at odds with the orchestra, however accomplished his playing on its own terms. Perhaps it was a salutary reminder of how little we know as yet of string techniques in Schumann's day.

TESS KNIGHTON

THE TIMES & DILLONS An evening of poetry

with
SEAMUS HEANEY and TED HUGHES

READERS of *The Times* are invited to an evening with two of the most celebrated contemporary poets, Seamus Heaney and Ted Hughes, on Monday, April 14, at 7.30pm, at the Institute of Education in London.

The *Times/Dillons Evening of Poetry* marks the publication of Heaney and Hughes' new poetry anthology, *The School Bag* (Faber, £20 hard, £12.99 soft), a companion volume to their highly successful *The Rattle Bag*.

The poets will be introduced by Peter Stothard, Editor of *The Times*, and will then read from their selection, which includes works from all periods of English poetry, from the earliest Anglo-Saxon to the epoch-making poems of the 20th century.

Tickets are £10 (£7.50 concessions for OAPs, students and unemployed, subject to ID), which includes £2 off copies of the hardback edition of *The School Bag*. To book, call Dillons on 0171-467 1613, fax the coupon below on 0171-467 1690, e-mail orders@gower.dillons.org.uk or post the coupon with remittance.

THE TIMES/DILLONS EVENING OF POETRY

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■ VISUAL ART 1

How Piero della Francesca changed my life: Richard Cork relives a personal conversion



■ VISUAL ART 2

Tim Head brings a bizarre vision of rural England to the disused naval dockyard at Chatham

THE TIMES
ARTS

■ CD CHOICE

Pierre Boulez is the undisputed winner in Building a Library: Schoenberg stakes



■ TOMORROW

Are the ambitious plans for the Millennium Exhibition in Greenwich finally on the right track?

VISUAL ART: In Holy Week, Richard Cork recalls one of the world's greatest religious paintings

Still heart of the Passion

If a single painting can be said to have confirmed my early fascination with art, it is Piero della Francesca's *Flagellation*. I visited the hilltop city of Urbino on an unforgettable August morning in 1967. I entered the Palazzo Ducale and found myself unable to stop staring at this luminous, iconic image.

Many of the paintings and sculptures I had already encountered in Italy, during a student pilgrimage to many of the finest Renaissance shrines. I drew the picture of the flagellation in Piero's Palazzo Ducale and Orvisio, filling black ink on a white page in Siena Cathedral while struggling to do justice to the emotional intensity of Donatello's haggard St John the Baptist. Confused by the *Flagellation*, however, I saw no point in drawing any longer. Instead, I sat on the floor opposite Piero's picture and tried to put my response into words.

I stayed there for hours in a state of strange elation, only leaving with great reluctance when a guard insisted that the Palazzo was closed. The fervency of my 20-year-old attempt to analyse *The Flagellation* would probably seem embarrassing if I reread it today, but my willingness to enter Piero's pictorial world and remain there, captivated, taught me how to look harder than I ever had before. Moreover, the excitement of searching for verbal equivalents to visual sensations has stayed with me ever since. I thought a reproduction of *The Flagellation* home from that Italian journey. These it has remained, propped up in my writing room, testimony to the room where I fully discovered what the central activity in my life would be.

Why did I find Piero's picture, painted in oil and tempera on a panel of modest dimensions, so mesmerising? Initially, its absolute stillness impressed me most. The figures inhabiting this superbly organised space seem, in their different ways, transfixed. Although the three men in the foreground might have been

conversing, they now appear held in a state of suspense. The bearded figure extends his left hand, as if to make an argumentative point. But he leaves it hanging there, and neither of his companions pays attention to this forceful gesture. They all seem lost in meditation, attending to their thoughts with such gravity that each body takes on the immobility of a statue.

Historians have put forward a bewildering variety of theories about their identity, but they remain unproved. We do not even know who commissioned the painting from Piero, although it appears to have hung originally in the

him out from the older, portraiture-like people at either side — the priestly patriarch with black hat and double-pointed beard, so different from the bare-headed, clean-shaven grandee whose lavishly ornamental robe proclaims his wealth and status alike.

Both these worldly faces have architectural backdrops: classical arches and columns on the left, and the salmon-coloured walls of the building on the right, where Piero has delineated with hair's-breadth precision the bars projecting from the tall windows. Even more formidable skill is evident in his virtuoso construction of the chamber where Christ receives his punishment. The receding inlaid floor and coffered ceiling is a tour de force of precise geometrical calculation. No other artist in the mid-15th century could handle the intoxicating new science of perspective with as much finality as Piero.

He ensures that the flagellation is relegated so convincingly to a distant locale that it appears, at first, wholly subordinate to the three foreground figures. In this respect it seems to bear out Auden's observation, in his poem *Musee des Beaux Arts*, that "the Old Masters" knew how everyday life always continues oblivious of human suffering.

They never forgot
That even the dreadful
martyrdom must run its course
Anyhow in a corner.

The longer we scrutinise the pristine chamber where Christ stands, though, the less incidental his ordeal becomes. For Piero's grasp of recession leads our eyes inexorably inwards, away from the magisterial trio and towards the source of distress. Far off it may be, but the positioning of Christ and his captors does not lessen their significance. On the contrary: these five figures, and the room enclosing them, are depicted with such consummate eloquence that they become the focus of attention.

Light plays a potent role throughout this exquisite inter-



The Flagellation by Piero della Francesca "gives the lie to any notion that Piero had a primarily mathematical mind, incapable of visual poetry"

rior. It gives the lie to any notion that Piero had a primarily mathematical mind, incapable of visual poetry. Coolness prevails after the heat of the piazza beyond. There, the terracotta floor burns in the sun's glare. But here, through the doorway behind the seated Pilate, the marble handrail and steps are picked out with slivers of whiteness. They provide a foil for the brilliance of the pink suffusing Pilate's hat, tunic and boots. Although he is separated from the flagellation group, the left hand extended by the neighbouring turbaned figure serves to link him with the consequences of his judgment. This same hand echoes the gesture made by the bearded man in the foreground of the painting. It therefore acts as a subtle connection between the inside and outside scenes.

Moreover, the turbaned observer looks as uncannily calm as the men in the piazza. Although he may well be responsible for overseeing Christ's punishment, his

stance suggests that he is pausing to ponder the enormity of the prisoner. So are the two men charged with lashing Christ's flesh. One of them, bald and frowning, clasps the victim's elbow in order to steady his aim. But Piero minimises the violence by hiding half the whip-bearer's upraised arm behind the turban. His pale, bare legs are placed tightly together, adding to the sense of sadism under rigid control. The other flagellator parts his legs, balancing himself as he takes

aim. Even here, however, his movements seem choreographed and devoid of the sweaty, animal brutality which real scourging must have entailed. The thongs of his whip dangle limply in front of his shoulder, as if to emphasise Piero's desire to purge the scene of aggression. Judging by Christ's unmarked body, the flogging has not yet begun. A tantalising point loss partially obliterates his facial expression, but the intact eyes suggest that he gazes at the whip with steady

resignation. Tiny points of light dance across the wooden door behind him, giving his calm an unexpectedly magical aura. And the stance adopted by Christ's legs chimes with the golden statue standing on the column above him. Gleaming in the light, the naked figure testifies to Piero's admiration for antique sculpture. It also reinforces Christ's hard-won poise, and the silver ball in the statue's hand may prophesy the mood of the resurrection ahead.

Before the miracle of renewal can occur, though, the protracted agony culminating in death on the cross must be endured. Viewed in this way, Christ's composure in the pellicled atrium finally takes on an heroic dimension. He braces himself for the pain to come, and his stoicism is a source of wonder to everyone else in Piero's picture. That, surely, is why they all look so spellbound. Even though the three figures at the front have turned away from Christ, they seem awed into silence by his limitless, self-sacrificing love.

Christ's composure finally takes on an heroic dimension

sanctuary of Urbino Cathedral. The apparent subject accords with an ecclesiastical location, and yet fails to explain why the enigmatic trio is given far greater pictorial prominence than the suffering Christ. Piero deploys his mastery of perspective to accentuate, in the most dramatic manner, the difference between the two groups. The three large figures are boldly planted at the front, so that their physical bulk impresses itself forcibly upon us. Christ, on the other hand, is pushed back to a distant part of the atrium beyond. Both he and his tormentors seem diminutive compared with the grandeur of the figures in the piazza. They stand in the open air, lit by the sun from a cerulean sky interrupted only by a few slender white clouds.

The head of the youth in the centre, whose bare feet and curly blond hair contrast so surprisingly with the formality of his companions, is framed by trees. His freshness and idealised features mark

■ AROUND THE GALLERIES

□ THE combination of spectacular architectural venue and specially commissioned contemporary art is often problematic. The artist often cannot compete. Tim Head's *Blue Skies* is a first for Chatham Historic Dockyard which hopes with the help of the Rochester upon Medway City Council to host a number of exhibitions. The artist is, however, to be admired for avoiding the trap of "responding" to place with obvious nostalgia, and for sticking to one of his earlier preoccupations. Inside the cathedral-like timber construction of Number Three Covered Slip, Head has placed a sea of large white daisies with black centres



Blue Skies by Tim Head: ironic daisy chains

stretching way back towards the far wall. At the back wall two huge cut-out black cows swivel up and over themselves in a complete circle. The scale of the interior is ungraspable, the daisies so large, the cows effective in their movement, yet the best ironic artistic intention has been swamped by the physical grandeur. Tim Head's *Blue Skies*, a temporary installation in Number Three Covered Slip, Chatham Historic Dockyard,

Chatham, Kent (01634 732736) until April 27

□ JOHN DOUGILL, an admired art school tutor, has been persuaded after a number of decades to show a small selection of his paintings and prints. The activity of painting, drawing and printmaking has been, for him, a singular, independent journey separate from the public gaze. This outcome, or "outing", shows that, instead of being a hyper-sensitive soul too precious to see the light of day, he has always been involved in a tough and questioning engagement with painting. The result is a strange combination of topographical image, with motifs suspended across flat grounds, and situations ending light and diffuse energy. It is not an obvious mixture but it works. John Dougill at Gasworks, 155 Vauxhall Street, The Oval, London SE11 5RH (0171-735 3445) until Sunday

□ SARAH JONES sets up scenes and photographs them. Strongly lit, adolescent girls are pictured sitting around their parents' dining tables in staged silky desolation. Their parents own some very fine pieces of antique china and these often feature, centre-stage, like props in a *Marnet* painting. The highly coloured photographs are so large that they set up a physical relation with the viewer. The shine that sheers off real or reproduction table surfaces, along with the girls' lip gloss and well-washed hair, has a sort of overblown 1950s colour and style which contributes to the gravitas, a study of jealousy, annoyance and boredom to come. Sarah Jones's New Work at Interim Art, 21 Beck Road, London E8 4RE (0171-254 9607) until April 5

SACHA CRADDOCK

A guide to the best available recordings, presented in conjunction with Radio 3

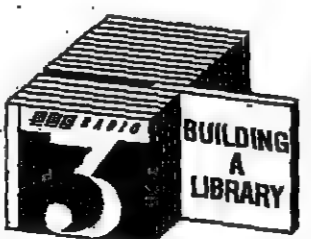
SCHOENBERG'S VARIATIONS FOR ORCHESTRA, OP 31
Reviewed by Martin Collins

SINCE it was premiered by Furtwängler in 1928, Schoenberg's *Variations for Orchestra* has hardly become a repertoire piece. No conductor or record company takes it on lightly, or expects to win any popularity prizes with it, but its shadowy, fantastic, and serially organised world gives new and rich musical rewards on repeated listening.

After Schoenberg had finished the *Variations*, he wrote to Furtwängler and estimated that they would take about 12 to 15 minutes to perform. Nobody comes near that. But it is contrast of tempo that is important to exaggerate those contrasts risks losing overall continuity — to even things out too much results in a lack of individual character for each variation.

Karajan's 1974 recording falls into the first of these traps: even the playing of the Berlin Philharmonic cannot compensate for the lack of articulation and attack in the slower variations. It is as if Karajan, knowing that the music is difficult, is determined to make it sound beautiful — a misconception which Schoenberg himself would certainly have decried. Better than Michael Gielen's way with the South-West German Radio Symphony Orchestra, where every little detail is meticulously, but coldly observed.

● To order the recommended recording, with free delivery, please send a cheque payable to The Times Music Shop to FREEPOST, SCO681, Forres, IV36 0BR or phone 0345 023 498; e-mail: music@the-times.co.uk
● Next Saturday on Radio 3 (9am): Bach's St John Passion



Of course, the detail must be there, but it has to be treated with affection. Simon Rattle and the City of Birmingham Symphony Orchestra (EMI CDCS 55212-2) do just that. The changing contours and colours of the work are traced with great sensitivity and are excellently recorded, but, in the slower variations, and in the gradually accelerating finale, they are just too slow, and the momentum begins to sag.

Pierre Boulez is almost self-selecting in this music. He combines the attention to detail of Gielen with the affection of Rattle, and all at tempos that are close to Schoenberg's demands.

In the later of his two recordings (Erato 2292-45827-2), the Chicago Symphony Orchestra is not really inside the music, despite some virtuoso playing.

The earlier dates from a time (1976) when the BBC Symphony Orchestra had this music in its repertoire and in its blood, and it follows Boulez through the turns and twists of the work with the utmost flexibility (Sony Classical SMK 62021, or SMK 48464, £9.99 each).

EXCLUSIVE COMPETITION — THE TIMES

Virgin flights to Jo'burg worth £80,000 to be won

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THE TIMES
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TOKEN 2

HOW TO ENTER

Simply collect four differently numbered tokens from *The Times* this week and answer the question on the entry form which will appear again on Saturday. Bonus tokens also appeared in Weekend last Saturday, along with the rules and conditions. The closing date for entries is Saturday April 12, 1997.

CHANGING TIMES

LAW

Free lawyers (true)

Frances Gibb
reports on the
success of
the Bar's Pro
Bono Unit

Lawyers and money go hand in hand — at least in the public's view. Jokes about lawyers' avarice abound. Client to lawyer: How much do you charge? Lawyer: £300 for three questions. Client: That's rather a lot, isn't it? Lawyer: Yes. Now what's your third question? That one was told by Anthony Julius, the Princess of Wales's solicitor, in his recent University College London lecture.

But a new mood is afoot. Lawyers are starting to work for nothing. The legal profession insists that it has always done such work — *pro bono publico* (for the public good), as it is called. What is different is that the profession is organising these initiatives. Tonight the Lord Chief Justice and the Lord Chancellor, with other legal luminaries, will attend a special fundraising reception at the Royal Courts of Justice. The occasion is the first anniversary of the Bar's Pro Bono Unit, set up to give legal advice and court representation in cases in which people cannot obtain legal aid nor afford to pay.

In its short life, the unit has seen a big success. About 650 barristers, including 120 QCs, have joined its register of those ready to offer at least three days' help a year free. Already it has taken on 250 written inquiries and given help in 100 cases. Peter Goldsmith, QC, former Bar Chairman, was the driving force. He says: "The tremendous response we have already had shows the commitment of barristers to serving the community and to helping those in need of advice or assistance. We are trying to help people who may become victims of the legal system if they do not get the expert legal advice they need, but which the legal aid system is unable to provide and for which they cannot pay."

The unit is the first national scheme of its kind. Half the cases so far have come from outside London and the South East and 150 panel members are from outside London. Work comes in from individuals, law centres, advice bureaux and solicitors — at a rate of 30 referrals a month. Forty per cent of applications have been accepted. There are strict criteria: a committee sifts cases to see whether they merit help and whether a barrister is needed. Cases must not last longer than three days and the person must be ineligible for legal aid and unable to afford private fees. Cases are allocated



Sifiso Mahlangu is met at Heathrow by Salome Stopford and her daughter after his flight from Johannesburg

ed to barristers with the relevant expertise. Vanessa Sims, the administrator, says: "It is our firm policy that *pro bono* work should not be regarded in any way as second-class work. Once panel members accept a case, it has to be treated like any other professional commitment."

Just under half of the cases offered — 44 per cent — have



McClelland: helped by unit

been taken on. They cover a wide range. The biggest group — 20 per cent — involved employment disputes, reflecting the lack of legal aid for tribunal cases. Ten per cent are family cases and the third largest group, 6 per cent, disputes with banks.

But not all cases outside the criteria are rejected outright. Ms Sims says: "We try to help if we can. Some we can refer to

other organisations that might be more appropriate, such as Liberty or a citizens advice bureau. People often do not know where to go." In half the cases, barristers have given advice rather than representation in court. The unit has already a creditable list of successes. In one, a French company brought libel proceedings against an English ex-employee who lacked the resources for a defence. The unit briefed a top QC, David Vaughan, to advise and appear in the Court of Appeal on an issue of European law concerning security for costs. The plaintiff company was ordered to pay security and on its failure to do so, the action was dismissed. The Lord Chief Justice, Lord Bingham of Cornhill, paid public tribute to the unit and expressed the hope that its example "may inspire others in a similarly public-spirited manner".

Arden McClelland, the client, said: "The help I got from the unit — and from Patrick Milmo, QC, who helped me at another stage in the proceedings — could have cost me more than £100,000. They did a marvellous job — all in the interests of justice."

Among other cases are:

● Anton Lodge, QC, of Leeds, who acted for a nurse at a three-day inquest into the death of a patient. Without the unit, the nurse would have been the only party without a lawyer.

● A woman who had wrongly been held liable for her father's trading debts was represented in the county court by junior counsel and the judgment against her was set aside. The judge said she was a "victim of the legal system".

● In the wrangle last year over Sifiso Mahlangu, the Zulu boy fostered in England whose parents wanted him back to South Africa, the unit obtained a QC to act for the foster-mother *pro bono*. (Legal aid was later obtained.)

The unit now needs more funds to expand. It is a registered charity and its budget next year is £50,000, some from the Bar Council but also from individual barristers and sets of chambers. The aim, Mr Goldsmith says, is to put the unit on a "sound working and financial basis to guarantee its future contribution to helping those in need".

The unit also needs to strengthen links with solicitors, so that they refer clients rather

than people coming direct.

Ms Sims says: "Sometimes people need a solicitor, as well as a barrister — so we could do with a panel of solicitors with which to liaise."

In the meantime, the unit will continue to spread the word that it has arrived. "From starting from scratch a year ago, I think we are here to stay and will be continuing to grow," Ms Sims says. "We know there are people who want a lawyer — we just have to ensure that they get to hear about us."

Pro Bono Unit: 071-631 9733

Next week: *pro bono* solicitors

Rights and wrongs of access to court

Benjamin Franklin wrote in 1774 that he wished that a constitution could be "formed and settled for America, that we might know what we are and what we have". Until then, "different sentiments will ever occasion misunderstandings". The judgment of the Divisional Court in *R v Lord Chancellor ex parte Witham* (Times Law Report, March 13, 1997) indicates that English judges are beginning to perform the necessary, but difficult, task of articulating and applying basic constitutional principles to resolve disputes about the scope of executive power.

John Witham is unemployed, has no savings and receives income support. He wants to bring legal proceedings for malicious falsehood and libel. Legal aid is not available for such a claim so he would be a litigant in person. The Supreme Court Act 1981 allows the Lord Chancellor to "prescribe fees" for legal proceedings. With effect from January 15 1997, the Lord Chancellor introduced the Supreme Court Fees (Amendment) Order 1996 which substantially increased fees.

Crucially for Mr Witham, Article 3 repeated previous provisions which relieved litigants in person who are in receipt of income support from the obligation to pay a fee, and which allowed the Lord Chancellor to reduce or remit the fee on grounds of financial hardship. The Divisional Court held that Article 3 is unlawful because the Lord Chancellor has no power to introduce a scheme which denies poor people such as Mr Witham access to justice.

Mr Justice Laws (with whom Lord Justice Rose agreed) acknowledged that the 1981 Act conferred a power expressed in broad terms. But (accepting the arguments advanced by Mr Witham's counsel, Peter Duffly) Mr Justice Laws explained that English law recognises a constitutional right of access to the courts. The executive may frustrate that right only if Parliament expressly so authorises. The court will interpret general statutory powers as not intended to allow ministers to apply policies which contravene this constitutional right.

Mr Justice Laws referred to a number of earlier court decisions which recognised a constitutional right of access to the courts, including cases concerned with the powers of prison governors to interfere with prisoners' correspondence with their legal advisers. The judgment in *ex parte Witham* is an important contribution to the process on which administrative law judges will be spending much of their time in the next decade: identifying and applying the constitutional principles which regulate discretionary power.

There are some very difficult questions here. What interests should the judiciary recognise as "constitutional rights" to be protected? Access to the courts is an easy starting point, since the legal system is of no value unless individuals are allowed to bring their disputes to court for determination. Once rights have been identified, to what extent can they be defeated by policy considerations such as cost and efficiency? Again, *ex parte Witham* is an easy case because the policy was absolute, allowing for no exceptions, and so access to the court for the poor was denied whenever (as in a libel claim) legal aid is unavailable.

English public law has no choice but to confront these complex issues unless it wishes to remain a series of isolated judicial pronouncements about the requirements of reasonableness and fairness in the circumstances of the individual case. Such an approach to judicial review provides unhelpful guidance to administrators and to those aggrieved at their decisions.

Until recently, the development of principles of judicial review has been impeded by the refusal of practising lawyers to recognise the existence of constitutional norms, and by their reluctance to look abroad for assistance. Recent publications from Butterworths will help to remedy those defects.

Butterworths has reissued volume 8 (2) of the fourth edition of *Halsbury's Laws of England*, under the title *Constitutional Law and Human Rights*. As well as summarising all aspects of our constitutional law, the reissue (edited by Lord Lester of Herne

Hill, QC, and Professor Dawn Oliver) identifies the wealth of case-law, here and abroad, in relation to each fundamental freedom (such as freedom of expression, the right to respect for private life, and the right to property), and recognised exceptions. The novel inclusion of such material in the authoritative *Halsbury's Laws* will have a substantial impact on the way practising lawyers argue cases and the manner in which judges reach their decisions.

Lawyers cannot hope to produce coherent legal principles without learning from the successes and failures of other legal systems, similar to our own. A new series of law reports, *Butterworths Human Rights Cases*, containing leading judgments from courts around the world, will do much to focus our thinking on the scope and application of basic rights. Politicians are beginning to take our constitution seriously. Administrative lawyers have the same obligation.

● The author is a practising barrister and a Fellow of All Souls College, Oxford.



DAVID
PANNUCK QC

Red face day?

HAS Labour's support from City solicitors run its course already? The party's plans to raise £100,000 from a series of seminars for City lawyers featuring frontbench spokesmen has failed for lack of interest, according to today's *Lawyer* magazine.

The venture was launched by the Society of Labour Lawyers, James Goudie, QC, the society's chairman, says there could have been reluctance to attend because the seminars were seen as being part of a fundraising exercise. He points out, however, that a fundraising dinner earlier this month, attended by 100 lawyers at £500 a head — with the Blairs as special guests — had been highly successful.

Legal line

NICHOLSON Graham & Jones has launched a 24-hour hotline for returning officers in the general election. It is offering to answer any technical or legal query 24 hours a day up to polling day and guarantees

calls returned quickly. Piers Coleman, the unit's head, says: "Recent court decisions have increased the burden on returning officers." The hotline is 0941 148206.

● The betting is on for who will bag the Legal Personality of the Year Award at the annual Lawyer/HIFAL awards on April 4. This column's bet is on Cherie Booth, QC.

Mears to run

MARTIN MEARS is to stand as Law Society President. After falling out with his former deputy, Robert Sayer

Clearing her diary

WOULD Cherie Booth, QC, be able to combine her practice with being a PM's wife? The view at the Bar is mixed. One senior judge says it would be "extremely difficult".

Others are more positive. Heather Hallett, QC, Vice-Chairman of the Bar, says: "If anyone can do it, she can."



Booth: many duties

Ms Booth, meanwhile, is clearing her legal diary. Mr Justice Hooper had to stand in for her at the draw last week for the 16 schools

— who is being invited to throw in his lot with Phillip Sycamore (the present Vice-President) and Michael Matthews (Treasurer) — Mr Mears has decided to run. He says: "It was not for fudges, trimming and private deals that nearly half the profession voted for Mr Sayer and me last year."

● Linklaters & Paines have landed a little gem with the case of *NaWest* missing £50 million. With its partners charging up to £500 an hour on a clean-up job which may take months, the firm will amass a tidy sum. It has called the file *Project Coral*, presumably because it sees the work as something precious, to be protected at all costs.

Up and away

IT IS probably now safe to fly to Croatia for a holiday. Not only is the war over, but Croatia Airlines has just traded in its five aircraft for six new Airbus A-319s, thanks in part to the efforts of the City firm Stephenson Harwood and its Croatian associate firm, Zurić i Partneri.

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This well-known full service investment house operates on a global basis. Its European Headquarters are based in London and, with 250 employees, concentrates on niche markets.

The London Legal Department now wishes to recruit a 2 - 4 year qualified lawyer whose prime responsibility will be the provision of advice to the pre-eminent New Issues Trading Floor. Therefore a securities background with exposure to general debt capital markets, eurobonds, asset swaps and MTNs is prerequisite. Although the successful candidate will have an operational focus he/she can and will be called upon to provide advice on any of the full range of current business activities.

Naturally support will be provided by the existing legal department. However the desire to work autonomously with initiative and the ability to manage a legal documentation specialist with a direct reporting line is essential.

Chambers Banking & Finance specialise in the recruitment of lawyers into banks and other financial institutions. For further information about the above positions or for constructive career advice, please telephone Deborah Kirkman or Stuart Morton on 0171 606 8844. Complete confidence is assured.

Assistant Company Secretary

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Our client is the UK operation of a leading global insurance group. With operations in over fifty countries, the group has an excellent record of performance and growth worldwide and is currently investing in further expansion across the UK and Europe. The UK operation is one of the largest in the group, employing over 300 people located in London and across a regional network of offices.

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operations role, ideally in the Insurance Sector. Experience of Compliance in the Life Assurance Sector would be a distinct advantage.

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The leading City firm has a cutting edge media practice which has a strong influence on the work you can expect as an EC/competition lawyer with 2-4 years' ppe. Spk: 50% media/50% general, you will be working on a broad range of matters for some high-profile clients. Ref: T24968

PLANNING

To £50,000

This highly-rated City firm has arguably the finest property practices in the City and the clients its planning department services offer a lawyer with 0-4 years' ppe the chance to work for the very best. This really is a superb opportunity to gain unrivalled experience at an excellent firm. Ref: T24340

COMMERCIAL LITIGATION

To £Partnership

This excellent smaller firm can offer a commercial litigator with 5+ years' ppe the platform to work for some impressive clients and make it to partnership. If already a partner, you will need a following. You can expect a very varied workload, but experience of employment and insolvency would help. Ref: T24536

EMPLOYMENT

To £44,000

The high-profile medium-sized firm has a client list that belies its size. With an impressive mixture of corporate and wealthy individual clients, an employment lawyer with 3-4 years' ppe can expect superb work and even better prospects. You will have a mix of contentious and non-contentious experience. Ref: T36134

PENSIONS

To £Excellent

Pensions is one of the major up and coming practice areas, and the well-known medium-sized City firm is well placed to take advantage of the trend. Lawyers with 2-4 years' ppe, not necessarily in pensions, but definitely with an interest in the field, could find this a very intelligent move. Ref: T26099

CORPORATE

To £60,000

US lawyers will love and respect the London office of this leading US firm. The chance to work on some top quality general corporate matters, especially for hi-tech and biotech clients is guaranteed, making this the perfect move for a US lawyer with 1-3 years' ppe and perhaps residency. Ref: T19924

PROPERTY

To £Partnership

If you want to join one of the country's most talked about, ground-breaking law firms, then look no further. This very high-profile practice is set to explode into the market and boasts a client list most competitors would die for. This really is an exceptional opportunity for first class property lawyers at all levels. Ref: T34628

For further information, in complete confidence, please contact Emma Cawell, Sarah David or Deborah Delgleish (all qualified lawyers) on 0171-405 6062 (0171-627 3674 or 0181-789 9933 evenings/weekends) or write to them at Quarry Douglall Recruitment, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171-631 6394.



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THE CABLE COMMUNICATIONS ASSOCIATION

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The Cable Communications Association ("CCA") represents the interests of the UK cable companies domestically and across Europe. Working hand in hand with top executives in each of these member companies, the CCA has a key role in influencing the regulation of the industry at the very highest levels. The Director of Legal and Regulatory Affairs seeks two new assistants with between 1 and 2 years' commercial/competition experience.

• UK regulatory affairs: you will liaise closely with the UK regulatory authorities and will analyse and advise on regulatory initiatives in the telecommunications and audio-visual sectors. You will contribute proactively to the development of industry positions and responses.

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Both positions require experience or a significant interest in multi-media. An appreciation of the commercial demands of the industry is also essential. The ability to speak one or more European languages is highly desirable for the European vacancy.

This is an ideal opportunity to make a first time move into the sector with immediate exposure to all of the member companies, and gain experience in a truly multi-media environment.

For further information in complete confidence please contact Lisa Hicks or Jonathan Brenner on 0171-377 0510 (0171-735 5546 evenings/weekends). Alternatively, write to us at ZMB, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax 0171-247 5174. E-mail lisa@zmb.co.uk



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Job Descriptions

The job descriptions published here, and on adjoining pages, are not covered by the sort of legislation that regulates advertisements written by estate agents. The government in its wisdom decided, presumably, that recruitment agencies were a more responsible breed. They would never dream of advertising a job at £300,000, for instance, unless that was the sort of salary you could reasonably expect to be paid. But even with our compulsory recourse, we do sometimes have difficulty in phrasing job descriptions in clear and unambiguous terms. This can be a result of a real ambiguity in usage, as when the term "corporate finance" is used by smaller law firms to mean simple bank loans for financing working capital rather than big ticket corporate transactions.

Most of the really misleading ads are probably those written - in all innocence - by law firms themselves. We heard a story recently of a City corporate lawyer seeking to move out of London who applied for a job in the "commercial department" of an eight-partner firm in the Midlands. After a long journey to a small market town, he discovered that the so-called "commercial department" of this predominantly conveyancing practice was a partner in a small localised commercial property.

Using recruitment consultants usually avoids this sort of problem. But if you sense any kind of vagueness or discrepancy about a job description it is advisable to have the vacancy checked out in greater detail.

Michael Chambers

INDUSTRY

Sonya Rayner, Morwenna Lewis

UK Legal Counsel: London

Sole or Bar with c. 5 years' commercial experience to join leading company. You will be responsible for the company's UK operations and be part of its management team.

Entertainment: London

Sol with 1-2 years' general commercial experience which must include TV work, either in production or broadcasting, to join high-profile TV company.

Construction/Engineering Lawyers

Comm lawyers with at least 3 years' experience to join key operating divisions of major engineering, construction and development group. Must have sound commercial acumen.

PRIVATE PRACTICE

SOUTH: Helen Mills, Alison Shepherd, Noel Murray

LONDON: David Woolston, Simon Anderson NORTH: Sudi Behra

Legal Researcher/Writer

Chambers' legal directory needs qualified lawyer to join team researching the legal profession. Ring Reena SenGupta for details: (0171) 606 1300.

Litigation Partner: City

Highly successful 15 partner City firm seeks outstanding commercial litigation partner, probably aged 35-45. Part following essential.

Construction Arbitration: City

An opportunity for an accomplished construction lawyer with 2-5 years' experience to join international arbitration team at large City firm.

Insurance Litigation: City

Leading insurance firm seeks 2-3 year qualified litigator to handle high quality work. Accountants' negligence experience an advantage.

EC/Competition: City

One of the City's most highly regarded EC practices seeks 3-4 yr qualified solicitor for competition advice to broad range of industry sectors.

Trademarks: London

Sol with trademarks in over 60 countries seeks experienced trademark professional to manage portfolio. Will include contractual and employment matters.

Corporate/Commercial: West Midlands

Lawyer with min 5 yrs' ppe to join engineering Pte. Position involves M&A, company secretarial, insurance, IP and contractual matters.

EU/Lobbying: Brussels

Ind. trade assoc needs Sol/Bar with approx 10 yrs' ppe. Fluency in French and German essential. Workload will include competition law and IP. Expect of parliamentary lobbying an advantage. Full package, including relocation assistance.

Capital Markets: City

Leading practice with strong focus on emerging markets offers 3-6 year qualified solicitor clear route to partnership and premium salary.

Property Litigation: City

Top 20 firm with superb property and building client base seeks 1-3 yr qual property litigator. Working environment and salary exceptional.

Commercial Property: Holborn

Thriving 8 partner property practice whose work frequently merits mention in the legal press offers 1-5 year qualified solicitor high quality caseload.

Commercial Property: Hertford

Long standing practice with pte clients is looking for a solicitor to undertake commercial property work for the licensing trade. 2-4 years' ppe.

Trust Lawyer: Manchester

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BRIEF ENCOUNTER

COMMERCIAL PROPERTY

Leading company in the energy sector seeks a first class commercial property lawyer for a 2 year contract. Previous heavyweight experience essential with a minimum of 5 years' ppe. Excellent opportunity for someone who is keen to gain in-house experience. Ref: 27070

COMMERCIAL/IN-HOUSE

24 years' qualified solicitor/barrister urgently required for company based in Southern Home Counties. Must have previous general company/commercial experience and be able to start immediately, for a 3-6 month contract. Ref: 36429

LITIGATION KNOW-HOW

Solicitor with a litigation background sought by this medium-sized London based firm initially on a 3 month project basis to draft and update precedents. Candidates must have previous experience in a relevant non fee-earning position. Ref: 38047

COMMERCIAL

Solicitor/barrister, ideally with around 2-5 years' experience sought by this entertainment company based in the North West. Contract is for 3-6 months and candidates will be assisting a small team in a highly pressured environment. Ref: 38393

CAPITAL MARKETS

Finance house seeks a solicitor/barrister, with at least 3 years' ppe, to cover for a 6 month maternity leave starting April. Candidates should have experience of transactions, medium-term notes, eurobonds and ISDA documentation. Ref: 38525

PLANNING

Junior planning solicitor, with no more than 4 years' ppe, sought by this City firm to undertake planning work including advocacy, negotiation of planning documentation and environmental assessment for major developments. Contract to start as soon as possible for 3-6 months. Ref: 38396

COMPANY/COMMERCIAL

Small but highly successful firm based in the West End seeks a senior consultant to assist on an ad-hoc basis with a broad range of corporate work. Transactions will include joint ventures, sale of business assets and share sales. Ref: 38456

COMMERCIAL/INVESTMENT

Venture capitalists based in the Midlands seeks a solicitor/barrister for a 3 month contract. Candidates must have an investment background and able to work within a thriving team. Ref: 39097

DOCUMENT NEGOTIATORS - DERIVATIVES

City based bank seeks a number of individuals, with previous capital markets experience, to initiate and negotiate derivatives documentation. Contract is to start as soon as possible for an indefinite period. Ref: 38860

COMMERCIAL/MEDIA

Solicitor/barrister with relevant experience and around 4 years' ppe, sought by this entertainment company based in London. Work will involve drafting and negotiating a wide range of agreements. This is a short-term contract which, for the right candidate, may well become permanent. Ref: 38651

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The newly demerged BG plc is poised to further develop its position as a leading player in the international energy industry. As one of three core businesses within BG, the international downstream business is enjoying considerable success with winning and executing large scale projects in regions such as South America, Europe and South East Asia.

Against this background, we are now looking to make the appointment of a senior lawyer to be based permanently in Singapore. With a functional reporting line into the UK and an operational reporting line to the Managing Director in

Singapore, the successful candidate will provide critical front line support to the South East Asian business. Given the focus on project management, we are seeking a lawyer with the flexibility and commercial drive to flourish in a highly demanding and competitive environment.

Suitable candidates are likely to have at least 4 years' post-qualification experience, ideally having dealt with a range of legal issues that arise within the international downstream energy projects field. Whether in private practice or industry you are likely, since admission to a recognised jurisdiction, to have gained experience in key areas such as acquisitions, joint ventures, project finance and relevant contractual matters. Crucially, your interpersonal

skills and strength of character will be one of your major assets. Equally, your ability to work as an autonomous legal adviser will be matched by your ability to add value as part of a commercial team.

Interested candidates should contact our advising consultants, Gareth Chambers or Geraldine Hedderington, on 0171 405 0151 (evenings and weekends on 0181 663 6680). Alternatively, you can write to them, enclosing your cv, at In-House Legal, 17 Red Lion Square, London WC1R 4QH (fax on 0171 831 6498).



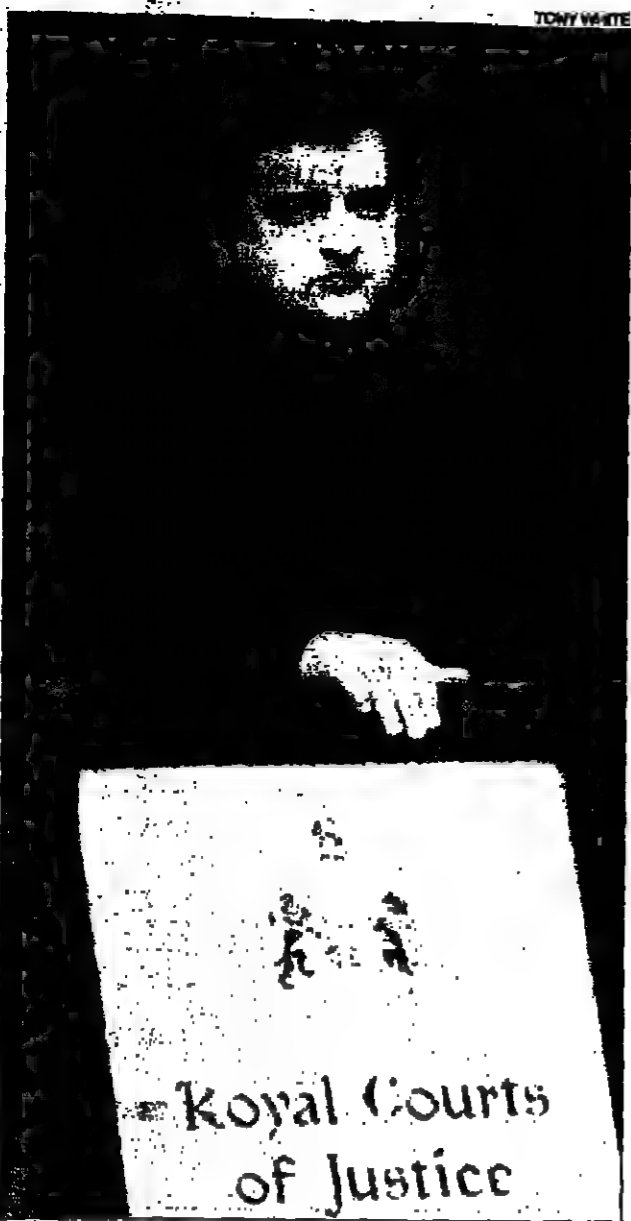
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How courts condone torture



Sulaiman al-Adani: beaten before being set on fire

This week Sulaiman al-Adani lodges an appeal with the European Commission of Human Rights. He is going to Strasbourg after the House of Lords refused to grant him leave to appeal against the Kuwaiti Government, which has rejected his claim for compensation for torture. In refusing him leave last December, the law lords surrendered the chance to make an advance in the protection of international human rights.

Though Mr al-Adani was born in Britain and has a UK passport, he was a pilot in the Kuwaiti Air Force when Iraq invaded in 1990. Serving in the underground during the occupation, he incurred the displeasure of an absent sheikh, who, on his return after the war, had him arrested.

The sheikh, using his authority as a member of the ruling family and a senior officer, had Mr al-Adani detained in a military prison. There he was beaten, tortured and ultimately set on fire by the sheikh and his henchmen. His home and possessions were deliberately wrecked. His father, at the time health attaché at Kuwait's London Embassy, brought him back to England, where he has been since. The physical and psychological effects of his injuries were catastrophic.

English law allows actions to be brought here for torts committed abroad. Mr al-Adani started High Court proceedings, claiming compensation from the sheikh and two colleagues, as well as from Kuwait. Enforcement against the former, with no traceable as-

Geoffrey Bindman reports on the Act that failed a British citizen

sets outside Kuwait, would be futile. Effective redress demands that liability be established against the Kuwaiti Government.

The obstacle in Mr al-Adani's path is the State Immunity Act, 1978, which provides that "a State is immune from the jurisdiction of the courts of the United Kingdom except as provided in the following provisions of this part of this Act". The exceptions include certain commercial transactions, but violation of the fundamental right not to suffer torture, a grave breach of international law, is not listed among them.

Does this mean a Government can claim immunity for torture carried out by its agents, even on its direct orders? Could Parliament, when it passed the Act, have intended to protect the perpetrators of the worst imaginable crimes against humanity?

Serving proceedings outside the jurisdiction requires leave of the court, which had no problem accepting that Mr al-Adani could not be expected to sue in Kuwait. It also had to be persuaded that he had a "good arguable case" that state immunity could not be asserted against him. In 1995 the Court of Appeal held that he had overcome this hurdle, notwithstanding the Act. Lords Justices Evans and Rose

and Lady Justice Butler-Sloss were unanimous that the Act could properly be interpreted as conferring immunity only when a State was acting within international law.

Torture is prohibited by international law. In 1980, in a celebrated American case (*Filartiga v Pena-Irala*), a judge of the Federal Court of Appeals declared that "the torturer has become, like the pirate and the slave trader before him... an enemy of all mankind". The International

A remedy for a wrong has been denied

Covenant against Torture in 1984 affirmed the prohibition of torture in international law. This was recognised by Parliament when the Criminal Justice Act 1988 made torture a criminal offence in Britain wherever the British citizen was committed. Brought before the English court, the Government of Kuwait might have been expected to defend the case on its merits, rather than hide behind a procedural defence. Instead, it chose to raise again the issue of state immunity, deploying the resources of the world's biggest law firm (Baker & McKenzie) and briefing two QCs against the legally aided Mr al-Adani. This time the plaintiff had to persuade the court definitively that state immunity could not be relied on to defeat a torture allegation. A "good arguable case"

was not enough. A differently constituted Court of Appeal upheld the narrow interpretation of the Act argued by the Kuwaiti Government counsel. Because leave to appeal was refused, the case can go no further in this country.

The development of international human rights law has been accompanied by the creation of international systems of adjudication, such as the European Court of Human Rights and the Human Rights Committee of the United Nations. These systems have many shortcomings. National courts could and should intervene, especially where their own citizens are the victims of abuse. Interference by one state in the domestic affairs of another is rightly resisted, but human rights are not a domestic issue. When states violate a human right as fundamental as the right not to suffer torture, the doctrine of state immunity has no place.

By accepting Kuwait's claim to immunity, the English courts have denied Sulaiman al-Adani a remedy for a terrible wrong. His pursuit of his case under the European Human Rights Convention could be a long process and is necessarily a claim against the UK Government rather than the Kuwaiti Government — the true culprit. Whatever the ultimate outcome, the State Immunity Act needs urgent amendment to ensure that governments responsible for torture will never again be able to claim immunity in an English court.

© The author is senior partner of Bindman & Partners, the firm acting for Sulaiman al-Adani.

One for every day of the year

■ A CALENDAR OF KILLING
By James Morton
Little, Brown, £16.99
ISBN 0316877905

Jean Constable, poor soul, was picked up in a pub one New Year's Day and killed by a man who later claimed to be asleep at the time. He was believed by a jury in 1961, but died soon after in a car crash.

Such is the random nature of justice. Morton's collection: a murder for each day of the year, is likewise random: it is the date, not the theme or the cleverness, that collates these crimes and the only thing linking them is the fact that someone was killed, usually with a fair bit of malice aforethought.

James Brown on July 23 put a grenade in the seat of the bath chair occupied by his horrible bully of a father, thus proving the effectiveness of army training, while those who contemplated homicide over the season might empathise with the lucky ones who could not be hanged because of their own peculiar necks.

The undiscovered murder of Dr Carolyn Warwick will make one fear the underground car park, while the meanness of the man who not only killed the night-watchman, but stole his boots, will cause a minute's reflection on the awful banality of the whole, murderous process. It is not often, after all,

that a tamed shark regurgitates a human arm decorated with a distinctive tattoo to aid the investigators.

Nor is it frequent for a Japanese defendant to be acquitted of the worst of crimes. The conviction rate is 99.8 per cent, partly because of the prosecutor's right to appeal and to try the alleged culprit up to three times for the same offence, without the whole thing being messed up by a jury. Our own prosecutors might revel in a similar opportunity to get convictions.

There is both benefit and education in the random selection, especially when Morton does it. In all his books, he writes not to revel in the glory of gore but to observe and record a profound curiosity about extremes. Let others philosophise and psychologise: Morton reaches with an elegant and concise reportage style touching on the dry.

Will the man speak out? No. A former defence solicitor, ever the erudite historian in disguise, but renowned by client and adversary as an honourable opponent, he knows better. He just tells it, humbly and judiciously, without fear or favour.

Human beings do this, he says, and juries do that. You might as well know. It is entirely up to you to judge. If you dare.

FRANCES FYFIELD

While rivalry heats up at the Bar, there has been a fall in numbers for the solicitors' course, writes Frances Gibb

COMPETITION for the Bar is at one of its highest levels, but demand to become a solicitor has dropped off, according to the latest figures.

For the first time this autumn, seven institutions have been licensed by the Bar to run the one-year vocational course which all graduates must take as a stepping stone to the Bar, ending the monopoly enjoyed by the Inns of Court School of Law (Bar school).

One of the new providers, the College of Law, the biggest solicitors' training college, has succeeded in attracting 1,800 applications for 120 places, although not all as a first choice.

But the Inns of Court School of Law is apparently coming out on top in the face of competition and is still number one in student choice, according to figures released this week. The school drew 2,290 appli-

cations, of which 1,863 put the school as its first choice. They are competing for 750 full-time places and 100 part-time. Last year, when the Inns of Court School of Law (Bar school) ran the course on its own, there were 1,534 applications and the year before, 1,474. About 2,500 students have applied for the 1,400 places being offered by the seven institu-

tions running the Bar vocational courses from September. First offers have just gone out.

While competition heats up at the Bar, it has cooled on the other side of the profession. There has been a fall in applications for the solicitors' profession legal practice course. The number of applications received at January 1 this year for full-

time places just under 7,000 compared with just under 8,000 the year before, a fall of 12.5 per cent. There are 6,734 full-time and 1,322 part-time places on the legal practice course throughout England and Wales and a number of institutions will not fill their targets.

Some believe that the adverse publicity in recent years about the problems of large numbers of students chasing a small number of solicitor traineeships places in law firms has started to have an impact.

Solicitor places are empty



Robert Black, found guilty of a murder on July 30, 1982

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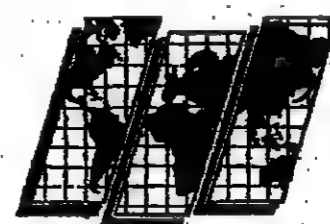
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RUGBY UNION

Italy aim for 2000 as target to fulfil European intent

DIEGO DOMINGUEZ is 30 and gives himself another five years of representative rugby. "Do you think we will be playing in the five nations' by then?" he asked, a little anxiously considering that the Milan stand-off half is the seventh-highest points scorer in world rugby and generally recognised as one of the controlling destinies of Italian rugby.

As the International Rugby Football Board representatives who have been in Hong Kong this past week disperse, those from Britain and Ireland must seriously consider the case for including Italy as full members of an expanded European competition. For France it is not a problem: they have played a significant role in the development of Italian rugby and see the growth of the five nations into six as a natural extension.

"This is, in fact, the fifth match of the tournament," Bernard Lapasset, president of the French federation, wrote in the match programme for the meeting in Grenoble between France and Italy last Saturday. "Italy are knocking harder and harder on the door of the tournament and their application, which the French federation supports, has been reinforced by their success in recent weeks."

Lapasset was not to know that success would embrace his own country. "What more do we have to do to prove that we should have a place in the five nations?" Massimo Giovannelli, Italy's inside flanker and captain, asked after the capture of a 40-22 victory — their first over France since XV — had sunk in. "We have written the greatest page in the history of Italian rugby. Something has changed. In the balance of the European powers and I hope that people take account of that in the future."

Giovannelli can be excused his rhetoric but his case is

David Hands on support for a campaign to enlarge the five nations' championship

far stronger than merely one win over a lacklustre France team that would not have wanted a game such as this eight days after the completion of the five nations'. Moreover, now is the time they deserve encouragement, allowing them to build on the momentum of a season that has included victories over France and Ireland and narrow defeats by Wales and Scotland.

Yet they are likely to be faced with caution. British administrators have in mind the example of the Romania of the late 1970s, who sought the same objective but whose players grew old together or left home to escape dire economic circumstances. But Italy

have money — enough to give their players an individual win bonus of £2,400 after Saturday and to contract, in two categories, some 35 players — and they have commercial interests involved with their first-division clubs.

They are also building a structure that should guarantee talented players for the future: queries posed about their strength in depth, coming from Scotland and Ireland, look a trifle threadbare at the moment. The curtain-raiser to the game on Saturday, featured an under-18 Italian side that gave an Alpine Select XV a run for

their money before losing 38-25, while Italy regularly dispatch a side to the Fira youth tournament, being staged this week in Buenos Aires.

Half of their 400 clubs run schools of rugby and in June they will send a development side for a six-match tour to Zimbabwe and Namibia. That will be good preparation for their involvement next autumn in the second edition of the Latin Cup, in which they meet France, Romania and Argentina. Yet the dates for the five nations' championship next season are in place, with additional fixtures established around them.

Those include home games for Italy against Ireland (December 20) and Scotland (January 24) and an away game with Wales on February 7, the first weekend of the 1998 five nations'. "We think what Italy is doing is correct," Tom Kiernan, the Irish chairman of European Rugby Cup Ltd, said. "They are playing each of the other countries as regularly as possible over the next couple of years and I suspect that, come the 1999 World Cup, Italy will be in a position to push their case."

"Everyone will have an open mind when that happens but the five nations' is a very precious tournament and one doesn't want to dilute its impact." The present Italy team is hardly likely to do that. Giancarlo Dondi, the president of the Italian federation, has offered the five nations' committee the chance to send in a commission to examine the state of Italian rugby. "We have nothing to hide," Dondi said, though he is realistic enough to acknowledge a target of entry to the five nations' by the year 2000.

REVISED TABLE

	P	W	D	L	F	A	Pts
England	5	4	0	1	185	79	8
France	5	4	0	1	181	117	8
Wales	5	2	0	3	125	128	4
Italy	5	2	0	3	142	176	4
Scotland	5	2	0	3	119	154	4
Ireland	5	1	0	4	88	176	2

RESULTS: Italy 28 Wales 21 (Grenoble); England 24 Italy 21 (Twickenham); Scotland 20 Italy 22 (Edinburgh); Ireland 20 Italy 37 (Dublin); France 32 Italy 40 (Grenoble).

domestic circumstances. But Italy have money — enough to give their players an individual win bonus of £2,400 after Saturday and to contract, in two categories, some 35 players — and they have commercial interests involved with their first-division clubs.

They are also building a structure that should guarantee talented players for the future: queries posed about their strength in depth, coming from Scotland and Ireland, look a trifle threadbare at the moment. The curtain-raiser to the game on Saturday, featured an under-18 Italian side that gave an Alpine Select XV a run for



Lamaison in action during the match against Scotland in which he injured Chalmers with a shoulder charge

Lamaison suspended for 30 days

By DAVID HANDS

CHRISTOPHE LAMAIISON, the Brive centre who emerged as one of the dominant personalities of the grand slam in the five nations' championship by France this season, was suspended yesterday for 30 days in what may prove to be a test case for the rugby union judicial system.

Lamaison was cited by the Scottish Rugby Union after a shoulder charge on Craig Chalmers during the win over Scotland in Paris on March 15 that clinched the grand slam. Chalmers was concussed and had to be helped off, leaving his union to be the first of the five nations to employ the

clinging system that allows consideration of acts of foul play that go unseen or unpunished during a match.

But Brive may consider that, if Lamaison is to be punished, it should affect his international career rather than his club. The player will miss matches against PUC, Toulon, Colomiers and Pau at a significant time in the domestic championship, but France have no representative commitments before their meeting with Romania on June 1 and the subsequent tour of Australia.

Brive, the European club champions, may suggest that, in the professional era, rugby should resemble football and

punish players by suspending them from the competitions in which the offence is committed. They may also consider that Lamaison, 25 and capped five times, has been harshly dealt with for a robust and late challenge that, though constituting dangerous play under law 26, was not untoward in a physical-contact game.

Since the game turned professional in 1995, France have had cause to suspend two players, Richard Dourthe (after playing England in 1996) and Franck Tournaire (after playing Ireland this year). On both occasions their opponents drew attention to televised incidents of foul play and each player was suspended

for two international matches and Tournaire for one, though the latter continued to play for Narbonne.

Peter Boyle, the match commissioner, from Ireland, received written, oral and video evidence at the hearing in a Heathrow hotel yesterday.

Lamaison did not attend but was represented by Jean-Claude Skrela, the France coach, and Guy Laporte, the French federation vice-president responsible for international matches. Scotland's case was presented by Arthur Hardy, the team manager, and David Johnston, the assistant coach who is also a lawyer.

RUGBY LEAGUE

Game plan keeps France in the fold

By CHRISTOPHER IRVING

THE danger of France being excluded from the international arena after the disappearance this year of the triangular European championship has been prevented by the arrangement of inaugural matches against Ireland, in Paris on May 14, and Scotland, in Glasgow on July 9.

"We are duty bound to give France international competition," Maurice Lindsay, the Rugby Football League chief executive, said. "By giving them fixtures against Ireland and Scotland we are providing matches against sides in their ability range."

Paris Saint-Germain look to be on a more secure financial footing now that a proposal to reform the club as a limited company has received approval. This will allow for two thirds of shares to be taken up by interested investors in England, with the remainder held by the French Rugby League Federation.

Hull, the first division leaders, will today announce the sale of £300,000 of unissued shares to a consortium headed by Tim Wilby, the former Hull centre, who is expected to take over as chairman.

With Shaun Edwards destined to join London Broncos, Wigan are directing part of the £750,000 that they received for the sale of Vaisaia Tuigamala into team rebuilding. They are interested in Tony Smith, of Castleford Tigers, as a replacement for Edwards and Iestyn Harris, of Warrington Wolves. Paul Rowley, the Halifax Blue Sox hooker, and Paul Sironen, the former Australia forward, are also targets.

Bob Scott, the Huddersfield vice-chairman, has been given the task of raising the profile of the 22 lower-division sides as general manager of the new first and second division clubs' association. "One of the things I will be trying to get across will be the fact that there is life outside the Super League," he said.

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TENNIS: SWISS PRODIGY MAKES THOUGHTFUL PROGRESS AS SUCCESSION OF MEN'S SEEDS CONTINUE TO FALL BY THE WAYSIDE

Hingis gets head start over young pretenders

FROM ALIX RAMSAY
IN KEY BISCAYNE

IT WOULD appear, in women's tennis at least, that if you want to get ahead, get a haircut. While Venus Williams rattles her beaded locks, and Anna Kournikova swishes her blonde pony-tail, the neatly coiffured Martina Hingis continues her regal progress through the rounds at the Lipton championships and onwards towards the No 1 ranking.

On Sunday night Hingis taught Williams a lesson in playing tennis with the grown-ups, beating the exuberant young American 6-4, 6-2. It was a battle of mind over muscle and the younger play-

whole affair was simply: "I made a lot of mistakes and I lost the match." As to the future, Williams sees her main rival as Serena, her sister, but until she arrives on the tour, Hingis will do as a stopgap opponent.

All of this came as something of a surprise to Hingis. "That's a lot of self-confidence," she said. "I don't have that much self-confidence from winning one match. If she would play more matches, she would know what to do in particular points or games. She really doesn't know where the ball is going to go."

Hingis, on the other hand, has always known where she is going. Her first grand-slam title at Wimbledon last year — the women's doubles alongside Helena Sukova — marked a turning-point. The girlish pony-tail was short and Hingis looked years older. Growing stronger physically, her game belied her years, or lack of them, and she finally won her first title in the autumn. This year she has gone 22 matches unbeaten.

Given the hype surrounding the young names at the Lipton this year, Hingis knows where her priorities lie. Williams is good but too inexperienced to matter. Kournikova, still only 15, is not allowed to play enough tournaments to cause a problem. Hingis has left the young hopefuls behind and is more concerned with the establishment. "You don't want to lose to somebody who is the same age as you are, who is usually the worse player," she said. "But it's hard to talk about these girls



Net discord: Hingis stretches to make her point during a discussion with a line judge in her match against Williams in Key Biscayne

because I am much more worried about the other players than those two, who are not on the tour all the time."

It has been an odd sort of week in Florida. The women have monopolised the headlines, while in the men's draw, the seeds have been forming an orderly queue at the airport, looking for an early flight home. Andre Agassi,

Michael Chang, Thomas Enqvist, Felix Mantilla, Wayne Ferreira, Marc Rosset, Albert Costa, Alberto Berasategui and Tim Henman have all gone, but nobody seems to have noticed.

Thomas Muster is still flying the flag for the seeds, however, demolishing Tommy Haas 6-1, 6-2 yesterday. This has not been the happiest

of hunting grounds for Muster. In 1989 he had just broken into the top ten for the first time and reached the final when he was hit by a drunk driver as he loaded his bags into the back of his car. The accident wrecked his knee and nearly ended his career.

Certainly it has restricted his schedule. The knee will not withstand the constant

grind on the hard court circuit. At the same time his clay-court success earned him little but insults in the United States. Not that Muster ever feels he has anything to prove. He just keeps his head down, powers his way through the opposition and lets everyone else do the worrying.

That is what Arantxa Sanchez Vicario used to do, but

times have changed. Yesterday she was beaten 6-0, 7-5 by Sandrine Testud, of France, a woman ranked 25 placed below the former world champion. At No 29, Sanchez Vicario has made a habit of losing. It all started to go wrong last year when she reached nine finals but could only win two of them. So far this year a final would seem like a bonus.

ATHLETICS

Africans make Brown go distance

FROM DAVID POWELL
SPORTS CORRESPONDENT
IN TURIN

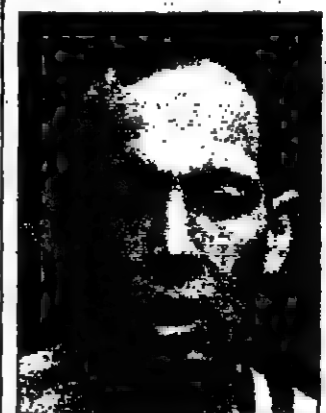
THE world cross-country championships are likely to be reinvented next year. Pius Njoroge, the president of the International Amateur Athletic Federation (IAAF), wants short-course and long-course races for men and women. But as Paula Radcliffe, from Britain, said on Sunday, after finishing second in the senior women's race here, who then shall we call the world cross-country champion?

Perhaps either Radcliffe or Derartu Tulu, her conqueror from Ethiopia, can keep it simple by winning both races, one on each day of the weekend, in Marrakesh. Both indicated here that they would try. Radcliffe's presence will be essential to keep alive European interest. The two junior races, and the senior men's, have become African precessions. The senior women's event, though Kenya and Ethiopia have won all the gold medals for the past three years, at least still sees Europeans in contention.

The IAAF, assuming its council backs Nebiolo's plan, is likely to keep the long distance for men much as it is now and introduce a short course of perhaps three kilometres. This, Nebiolo hopes, would attract athletes such as Hicham El Guerrouj and Noureddine Morceli.

It could introduce world championships at unimpeachable distances, but, until there is one in excess of 20 kilometres, or cross country returns to a combination of hills and mud, the Africans will dominate. The Kenyan senior men have been team champions for 12 years, the juniors for ten. The junior women's team title has never gone outside Kenya or Ethiopia.

Do not be fooled by the Belgian who finished fifth here in the senior men's race. Mohamed Mourhit is a Moroccan who married a Belgian. Perhaps Britain's best



Brown: marathon move

hope of a future senior contender rests with the two Somali runners who won the junior and intermediate races at the English Schools this month. "It has got to the point where the race is struggling to be sustainable because of African domination," Jon Brown, from Britain, the European champion, said.

Brown finished fourteenth behind 12 Africans. Now there is only one route open to him, he believes, to global success because they dominate the 10,000 metres just as much. Brown is pinning his hopes on the marathon. He will miss the track world championships in Athens in August and, though his decision is connected to him becoming a father, it clears the way for his first marathon in the autumn, probably in Chicago.

"There is no doubt they [the Africans] have a physiological advantage up to ten kilometres, or maybe even half-marathon but, after that, things start to even out and you rely more on your preparation than you do natural talent," Brown said. "If I am ever to get a medal in the Olympics, the marathon is the best chance I have."

Brown said, in his typically blunt way, that he was "not really impressed" with any present-day marathon runners, that there was "a lot of room at the top to do well". He said he thought he would be better than Martin Fitz, from Spain, the world champion.

The first city-centre world cross-country course, at the Parco del Valentino, was praised, for the most part, by athletes, coaches and spectators. As Nebiolo spoke of Hyde Park, London, and Central Park, New York, as future venues he favours for world championships, cross-country, as the traditionalists would like, appeared to be dead.

Britain, though, is doing better than the rest of Europe. Fourth in the women's team race and sixth in the men's, the combined result left the senior squad behind only Kenya and Ethiopia. Only.

ROWING

Weigh-in offers few clues to outcome of Boat Race

BY MIKE ROSEWELL

THE weigh-in at the Hurlingham Club yesterday did little to clarify who will win the Boat Race on Saturday. Cambridge scaled 14st 2½lb to Oxford's 14st 1½lb.

The scales surprised some present because Oxford do have the slightly beefier look, but the Cambridge No 3 man, Alex Storey, the Great Britain international, helps to raise the Cambridge average by weighing in at 16st, making him the heaviest man this year.

The crews this year are the tallest, with Cambridge averaging 6ft 5½in to Oxford's 6ft 4½in. Watching them in their first outings of the week yesterday, they are certainly using their long levers to good effect.

There is little doubt that the 1997 crews are exceptional technically. René Mijnders, the Dutch Oxford coach, considers that his men are "technically at the same level" as



BOAT RACE 1997
Saturday, 14 April
TV: Grandstand (BBC1)
TIMES OF OUTINGS TODAY
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his Holland crew that won the Atlanta Olympics. He said: "I am not saying that this crew would win the Olympics, since they have a little lack of power."

It is not, however, power alone that wins 4½-mile Boat Races. Cambridge have proved this twice in their past four wins and particularly last year, when they rowed well and Oxford raced well. Harry Mahon, the New Zealander, has again arrived to watch,

and coach, the Cambridge line-tuning. He considers the crew to be "similar to last year. Man to man, you would not rate them too much, but as a unit, they are pretty fast."

To please those who dislike old Boat Race crews, there is a younger look to the line-ups this year. James Roycroft and Nick Robinson, the Oxford bow and No 3 men, are teenagers and Andrew Lindsay celebrates his twentieth birthday today. Roberto Blanda, 26, the first Italian to achieve Boat Race selection, and Tim Foster, 21, a bronze medal-winner at the Olympic Games at Atlanta, raise the average of Oxford, who have four post-graduates on board.

Cambridge, with two post-graduates, have no teenagers. David Cassidy and Roger Pim, 21, being the youngest. The Cambridge elders are Ethan Ayer, their American president, and Brad Crombie, the Canada international, who are 26.

Cambridge remain favourites with the bookmakers, but of the 250,000 people who have so far accessed the Internet for a virtual Boat Race competition, 55 per cent have gone for Oxford, 45 per cent for Cambridge.

Ideas may become clearer today when the crews will undertake harder work. Oxford have a contest against their old Blues and Cambridge are doing two five-minute rows on their own.

Channel 5 counting on pitcher power to strike out opposition

Channel 5 will take a left-field view of sport, according to Nick Wilson, the controller of children's programmes and sport for the new terrestrial television channel, which begins transmission on Sunday. And he is not just talking about the prominent position given in its schedules to live coverage of Major League Baseball.

Although the flagship sports programme, *Turnstyle*, a two-part preview/review to start and finish the weekend, will reflect mainstream issues, an all-night programme entitled *Live And Dangerous*, broadcast from Sunday to Thursday, will, in addition to two nights devoted to the great American summer game, include "extreme sports" such as snowboarding, surfing and windsurfing, as well as motor sport and football from the United States and Brazil. After the World Series, which will be shown live, space in the schedules may be filled by "a muscle night", Australian summer sports and even fly fishing.

Unfortunately, perhaps, J.R. Hardey will not be a guest summariser; he would not fit the channel's demographics, which Wilson described as "youthful in attitude, if not in years," before adding "plus mums and dads up late with babies."

Wilson's expertise is in children's television, but his ideas about sport were inno-

Nick Szczepanik meets the man aiming a curve ball at the big-hitters among the ranks of rival television stations



vative enough for it to be added to his brief. "I come to sport with a completely open mind, but I have strong views on the studio stuff that's where I think 5 can do something different," he said.

Despite a limited budget, which will restrict sports coverage in the main evening schedules to "particular events that we decide to cherry-pick", Wilson has already pulled off one coup in securing exclusive live coverage of the Poland v England World Cup qualifying match in May, when the "something different" will be on view.

"This is Saturday night peak-time on a mainstream channel," he said. "The presentation will be a mix of serious preview and analysis and a lighter element."

Half of the studio will be turned into a sports bar, attended by supporters as well as players and celebrity guests, including a panel of past players from previous matches with Poland. "We recognise that football fans are serious about the game, but we will have more players present than you would nor-

mally have," Wilson said.

How did he manage to snatch such a prize game from under the noses of the BBC and BSkyB? "I'd like to pretend I'd made lots of secret phone calls in darkened hotel rooms, but it wasn't like that. It was offered to us, we bid what it was worth to us, we bid what it was worth to us, we bid what it was worth to us. It's partly the advantage of a complete ignorance doing sport; my door has been open to every distributor in the country and perhaps I've talked to them in a different way."

The budget will not allow consistent bidding against the more established channels, but Wilson believes that 5's position as a maverick will be its strength. "We'll keep our eyes open and see what events come up," he said. "Some won't be offered to us: most of the things we can bid for will be events abroad with UK interest, but one or two things we've got up our sleeve will surprise a few people."

For the time being, however, baseball will be the

channel's main sport and Wilson expects its coverage to have as much impact as Channel 4's introduction of American football. If not more. "We will have a baseball strand in our main children's magazine programme and flag our night-time coverage there," he said. "We're getting involved in Major League Baseball's school coaching scheme, and in their marketing."

"The last part of *Turnstyle* will have a segment dedicated to baseball, with an attempt to educate an audience to enjoy the game. My feeling is that baseball will do very well because it is very good television. It's theatrical and on television that drama comes across. A lot of Channel 5 will be a slow burner, particularly as the roll-out to homes goes on through the year."

There is the rub. What use is 5 winning back live coverage of leading sporting events for terrestrial television. If whole areas of the country (the Meridian television region, for one), cannot receive it? Wilson has a radical suggestion. "There's nothing to stop us sub-licensing a major event to Meridian, or BBC South. I would be open to that, if it's in an area where we aren't. The channel's branding will be strong enough for us to be less territorial than some of the others are." Persuading the competition to play ball may be the biggest test so far of Wilson's pitching skills.

MOTOR RALLYING

McRae's race ends

COLIN MCRAE, the world championship leader from Great Britain, was forced to retire from the Portuguese Rally during the sixth special stage yesterday when the brakes failed on his Subaru Impreza.

Tommi Makinen, of Finland, driving a Mitsubishi, took over the lead after the ninth special stage. He leads Kenneth Eriksson, from Sweden, by four seconds, with Freddy Loh, of Belgium, third. Richard Burns, from Great Britain, also in a Mitsubishi, is fourth.

Carlos Sainz, the former world champion, from Spain, was forced to pull out with gear box troubles in his Ford Escort.

CLUB LEAGUE: Bath v Exeter (7.15)

OTHER SPORT

BURNING: Commonwealth underweight championships: Chris Allen (Croydon, 100kg) v David Brown (Lancashire, 100kg) v David Brown (Lancashire, 100kg) v David Brown (Lancashire, 100kg)

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RUGBY UNION

Welsh League

First division

Llanelli v Treorchy (7.45)

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SWIMMING: English Goodspeed under-16 trophy: Saint-Denis St Joseph's, Surrey v William Perrier (at Molesey Park, 2.30)

RUGBY UNION

Welsh League

First division

Llanelli v Treorchy (7.45)

CLUB LEAGUE: Bath v Exeter (7.15)

OTHER SPORT

BURNING: Commonwealth underweight championships: Chris Allen (Croydon, 100kg) v David Brown (Lancashire, 100kg) v David Brown (Lancashire, 100kg) v David Brown (Lancashire, 100kg)

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SWIMMING: English Goodspeed under-16 trophy: Saint-Denis St Joseph's, Surrey v William Perrier (at Mole

You can't say that in front of the cameras

Jon Ronson's series of late-night chats on Channel 4 with earnest fruitcakes came to an end last night. It will be missed. For the Love Of... served an entertaining double purpose, you see: to expose eccentric beliefs to the light of day, while also identifying the fruitcakes for future reference. But last night, *For the Love Of...* accidentally took on additional significance, since it concerned "cryptology" — the belief in mythical animals (such as the Beast of Exmoor, or the "megamouth" shark) which are glimpsed perhaps only every five years. These creatures emerge from nowhere, make marks, and disappear again. Are they merely fabulous, or are they real? And if they are real, why has nobody ever filmed a group — of let's say eight of them — all having a ding-dong dinner party with lots of plonk?

You will have penetrated my tortured analogy, of course. Last

night brought us Paul Watson's already notorious fly-on-the-wall documentary *The Dinner Party* (Channel 4), in which a group of self-confessed Tory voters shared frank, reactionary views on hanging, homosexuality, immigration, poverty, euthanasia, New Labour and self-help. And the main point (for once) was not that Watson exploited his subjects' good faith, or made them look silly. The main point was that these people — who stand for millions more — are never represented in the media, and are therefore deemed not to exist. After every general election in living memory, psephologists have stood around afterwards gasping "Where did that lot come from?" But alas, they have never really had the heart to go out hunting, and find out.

So, as a positive sighting of the elusive Real Voter, *The Dinner Party* should give them all something to think about. What became

clear was that, far from being pushed into indiscretions, Watson's George and Bridget and Bob and Judith had seized this opportunity to air their unfashionable views, which are otherwise smothered or ignored. The Megamouth does exist, you see; and it believes capital punishment should be brought back, queers are a freak of nature, and blacks have "a serious attitude problem". These are its considered views, and it also speaks highly of *The Daily Telegraph*. Enough said there, I think.

Oddly, *The Dinner Party* came across as an almost affectionate film. Admittedly Watson gave these people yards of rope to hang themselves, and in the inserted interviews showed their looming faces in a highly unflattering black-and-white. But in effect, he served their purpose as much as they served his. No amount of creative editing

REVIEW



Lynne Truss

can make a person appear to advocate chemical castration for sex offenders if they actually tend towards rehabilitation. I seriously doubt Watson's cutting room floor was littered with "But some of them come from broken homes!" or "Remember, isn't this how Hitler started out?" The challenge of *The Dinner Party*, for the viewer, was to discern how far each view was

shared by the group. After all, these were individuals, despite their like-mindedness. It was quite clear that a sour young woman called Kathryn demurred from the racist jokes, and had been shocked to meet a genuinely homeless person in Norwich. She was an estate agent, and was filmed motorcycling fast across a flat East Anglian landscape, while in voice-over she said, "I don't dream about an equal society". But at the dinner party, she was always interrupted before reaching her point, so remained an enigma. But enigmas vote too, of course. In fact, they are known for it.

None of this detracts from the obvious first principle here, which is: if asked by a film-maker to appear in a fly-on-the-wall documentary, always say no. Practise it now. Practise saying no ("NO!" in the emphatic way children are nowadays trained to yell it when offered sweets by strangers. The

trouble is, we all think we are normal — but only because we haven't seen ourselves through the pitiless lens of a camera. The participants of *The Dinner Party* should have been warned first about Watson's previous casualties. But as people who believe in Darwinian social principles, they must rest content with the consequences of their own decisions. Rather neat, eh?

The second series of Kavanagh QC (ITV) keeps up good work each week — still with top-notch casting and out-of-the-way scenarios. Last night's concerned a diplomat (Michael Feast) who allowed his beloved daughter (Lena Headey) to take a murder rap on his behalf. Michael Pennington turned up as a weaselly MI6 man, meanwhile Susan Tracy was introduced as love interest for Oliver Ford Davies. It's a pleasure to see all these

classy actors, week after week. They take things at such a stately pace. Perhaps John Wood will reappear before the end of the series. His dotty, forgetful judge in episode one had plenty more meat on that bone.

Explaining why *This Life* (BBC2) is so instantly absorbing is quite difficult for a reviewer, because its appeal is like the worst kind of conversation. You see, *Miles and Anna blab-blah*, so then Miles, yes, he did, and then Anna, eek, you'll never believe it, and then Joe who fancies Anna — well, it wasn't Anna's idea to set him up with another girl, but now Joe thinks it was, because Miles lied out of spite, yes, isn't that rotten? You get the idea. Watching it is like a long phone-call with your best friend, which you interrupt early to turn the fire up and pour a big glass of something. "I'm back," you say. "Now, where were Egg and Milly in all this?"

- BBC1**
- 6.00am Business Breakfast (18854)
7.00 BBC Breakfast News (1) (13212)
9.00 Breakfast News Extra (1) (585106)
9.20 Style Challenge (4105583)
9.45 Killy (4885748)
10.30 Can't Cook, Won't Cook (58212)
11.00 News (1) and weather (5801545)
11.05 The Really Useful Show (7413274)
11.35 Change That (5086106)
12.00 News (1) and weather (7955274)
12.05pm The Alphabet Game (5964477)
12.30 Going for a Song (6266545)
12.55 The Weather Show (78337305)
1.00 News (1) and weather (23692)
1.30 Regional News (3007754)
1.40 Neighbours (1) (1134361)
2.05 Snowy River: The McGregor Saga Last in series (753631)
2.50 As Time Goes By (1) (5820212)
3.20 Mollie Castles (793201)
3.25 Video Nation Shorts (5404980)
3.30 Playdays (5856000) 3.50 Casper Classics (6228019) 3.55 Hubbub (5971738) 4.10 Prince of Atlantis (1853380) 4.35 Pirates (58037) 5.00 Newsround (1) (5160670) 5.10 Grange Hill (1) (3468011)
5.35 Neighbours (1) (1) (338800)
6.00 News (1) and weather (835)
6.30 Newsround South East (187)
7.00 Holiday St Barthélemy in the French Caribbean, the tiny Greek island of Lipari, and Paris. Plus: sailing around the Balcans (1) (5018)
7.30 EastEnders Frankie is forced to face a few home truths and Robbie's relaxing day off work proves to be a pain in the neck (1) (690)
8.00 Children's Hospital A teenager who's taken an overdose; two cerebral palsy sufferers; plus: an age-old remedy to help a badly-burnt toddler (1) (4767)
8.30 999 Lifesavers A young boy who fell into a river heading for a waterfall; a policeman's efforts to halt a runaway digger; and the race to save two horses trapped in tidal mud (1) (3274)
9.00 News (1) and weather (5816)
9.30 One Foot in the Grave Victor Meldrew and his long-suffering neighbour Patrick are persecuted by their wives to make up for past misunderstandings by having a quiet meal out (1) (6332) WALESS: 9.30 Week in Week Out (53632)
10.00 Film 97 with Barry Norman Highlights of last night's Academy Awards ceremony from LA, and the celebration parties (3496)
12.00 Under the Influence Sophie Aldred asks how far Christians should go when standing up for their beliefs (731335) WALESS: 12.00 One Foot in the Grave (53336) 12.30 Under the Influence (514794) 12.45 FILM: Annie Hall (882930) 2.15 News (5861336)
12.15am Annie Hall (1977) Oscar-winning romantic-comedy directed by and starring Woody Allen as a neurotic New York comedian. Also with Diane Keaton (1) (890593)
1.45 Weather (3203355)

- BBC2**
- 5.00am Learning Zone: Open University: Christopher Plummer, Polytechnic Theatre (7884106) 6.25 Scotland in the Enlightenment (7896941) 6.50 Understanding Narrative (626870) 7.15 News (1) (7790361) 7.30 Lassie 7.55 Secret Life of Toys (1) (8.10) Wacky Races 8.35 Blue Peter (1) (1) 9.00 Activ-8 (50570) 9.30 Sweet Valley High (1) 9.55 Playdays (1) (585835) 10.00 Playdays (5955212) 10.25 Babes (1) 10.50 Lassie: Countdown (1967) The resourceful dog gets into canine adventures with a fierce guard dog, an unhappy boy and an injured eagle. Directed by Dick Moder (7226818)
12.00 See Heart (1) (47106) 12.30pm Working Lunch (8105) 1.00 Secret Life of Toys (1) (5952767) 1.15 My Village (8127022) 1.25 Everyone's Got One (1098729) 2.15 The Great Antiques Hunt (1) (1) (5730187) 3.00 News (1) (5759877) 3.05 Going Going Gold (738106) 3.35 The Beauty Spot (5853903) 3.55 News (1) (5218523) 4.00 Today's the Day (800) 4.30 Ready, Steady, Cook (212) 5.00 Esther (1) (6125) 5.30 Trus: Resurrection A Canadian couple describe how love helped them to overcome the hardships they faced when they moved to London (308106)
5.50 Lifetime (1) (1) (894854)
6.00 The Fresh Prince of Bel-Air (1) (155477)
6.25 Heartbreak High Anita suspects Drac may have a learning disability (1) (145361)
7.10 The O Zone (1) (542309)
7.30 From the Edge Access for disabled people on holiday (1) (941)
8.00 The House Detectives: Dunsby Fen Farmhouse Julia Morris finds out why such a grand Victorian house was built in the middle of the isolated Lincolnshire Fens (2308)
8.30 Food and Drink How to throw the perfect party (1) (1816)
9.00 Midwives on the march (9.00pm)
9.00 Timewatch: Birth Story Looks at how women's experiences of childbirth have changed (1) (381372)
9.50 Travel Show Essential Guide (977212)
10.00 Have I Got Old News for You (1) (1) (48835) 10.00 WALESS: Voices (48835)
10.25 Video Nation Shorts (206496)
10.30 Newswatch (1) (496380)
11.15 The House Trap (730338)
12.00 The Phil Silvers Show (1959) (83978)
12.30am Learning Zone: Open University: The Passionate Statistician (60539) 1.00 Transforming the World (34775) 1.30 Statistics in Society (73152) 2.00 On the Edge in French and German (12133) 4.00 BBC Focus: Teaching and Learning with IT (88201) 4.30 Film Education (55288) 5.00 Inside Europe (91572) 5.30-5.59 Film Education: Screening Shakespeare (84607)

- HTV**
- 6.00am GMTV (6252922)
9.25 Chain Letters (1) (4180274)
9.55 Regional News (1) (5972361)
10.00 The Time, the Place (62090)
10.30 This Morning (8490570)
12.20pm Regional News (1) (7951458)
12.30 News (1) and weather (6254941)
12.55 Shortland Street (1) (626632) 1.25 Home and Away (1) (4710748) 1.50 Afternoon Live (1130293) 2.20 Vanessa (1) (5828800) 2.50 Afternoon Live (5815380)
3.30 News (1) (2254467)
3.25 Regional News (1) (3804908)
3.30 Potamus Park (1) (414057) 3.40 Wizardia (1) (8318080) 3.50 Bimble's Bucket (1) (8314274) 4.00 Scooby Doo (1) (213109) 4.15 Hey Arnold! (1) (185018) 4.40 Are You Afraid of the Dark? (1) (479254)
5.10 Bagdad Cafe (1) (5039635)
5.40 News (1) and weather (391816)
6.00 Home and Away (1) (142903)
6.25 HTV News (1) (171992)
6.30 HTV News (1) (583)
7.00 Emmeline Slave steps in to restore order at Home Farm (1) (4877)
7.30 The Learning Curve Featuring a school which is pioneering an inspired way to teach children to read, how GMTV's are encouraging young people to return to the classroom, a music school in Swindon and learn about a dyslexia in Swindon (1) (767)
8.00 The Bill A youth is arrested on a charge of selling stolen goods, but Slater and Garfield are convinced the case is rather more complex (1) (9835)
8.30 Loved by You Kate is not best pleased to discover Michael still has his old bachelor flat (1) (1670)
9.00 Peak Practice Andrew finally picks up the courage to tell Erica exactly how he feels about her (1) (4854)
10.00 News (1) and weather (35361)
10.30 Regional News (887748)
11.40 The Blind School (10.40pm)
12.00 Network First: The Blind School How it all started
Edinburgh's Royal Blind School teach partially sighted children the educational and practical skills they will need to cope in later life (1) (978309)
11.40 Highlander (195309)
12.35am Dating the Enemy (5540626)
1.35 Stand and Deliver (3775626)
2.35 The Chart Show (1) (4797152)
3.35 Coach (1) (38190572)
3.50 Football Extra (1) (4762187)
4.30 The Time, the Place (1) (42794)
5.00 Heirloom (1) (29625)
5.30 News (1) (1133)

- CENTRAL**
- As HTV West except:
12.55pm-1.25 A Country Practice (626632)
5.10-5.40 Shortland Street (5039835)
6.25-7.00 Central News (433038)
7.30-8.00 Heart of the Country (767)
12.40am Collins and Macdonald's Movie Club (447249)
1.15 Film: Shamus (56591)
3.00 In Focus (459713)
3.45 Football Extra (1988882)
4.20 Central Jobfinder '97 (583713)
5.20 Asian Eye (5799807)
- WESTCOUNTRY**
- As HTV West except:
12.55-1.25 Wish You Were Here? (626632)
5.10-5.40 Home and Away (5039835)
6.00-7.00 Westcountry Live (86583)
7.30-8.00 On the Land (767)
- MERIDIAN**
- As HTV West except:
5.10-5.40 Home and Away (5039835)
6.00 Meridian Tonight (503)
6.30-7.00 Michael Barry's Undiscovered Cooks (593)
7.30-8.00 Serve You Right Live (767)
11.40 Prisoner: Cell Block H (195309)
5.00am Fresscreen (28626)
- ANGLIA**
- As HTV West except:
12.55-1.25 A Country Practice (626632)
5.10-5.40 Shortland Street (5039835)
6.22 Anglia Weather (721421)
6.25-7.00 Anglia News (433038)
7.30-8.00 Home and Away (767)
10.25 Anglia Air Watch (233222)
11.40 Swift Justice (195309)

- CHANNEL 4**
- 6.00am Sesame Street (60944) 7.00 The Big Breakfast (73962) 9.00 Bewitched (1) (52038)
9.30 The Sad Horse (1959) with David Ladd and Chilli Wills. A boy makes friends with a girl on his grandfather's ranch. Directed by James B. Clark (120632)
10.50 The Legend of White Fang (1) (555496) 11.20 The Pink Panther (1) (5857816) 11.45 Pooko's Modern Life (5827309) 12.00 House to House (52274) 12.30pm Light Lunch (79922) 1.30 Australia Wild (1) (1) (75477)
2.00 The Little Colonel (1935, b/w) American Civil War comedy-drama with Shirley Temple and Lionel Barrymore. Directed by David Butler (1) (11090)
3.30 Collectors' Lot (1) (361) 4.00 Fifteen-To-One (1) (496) 4.30 Countdown (1) (380) 5.00 Ricki Lake (1) (1293) 5.30 The Real Holiday Show (1) (1) (632)
6.00 Friends (1) (1) (140545)
6.25 Ant and Dec Unwind with guest Gaby Roslin (19564)
6.55 Fresh Pop (276354)
7.00 Channel 4 News (1) (552496)
7.55 Betwixt (587800)
8.00 Wild Britain: A Prickly Pair Two species of Britain's smallest but most aggressive defensive fish (1) (7477)
8.30 Brookside Jackie and Jimmy are finally reconciled (1) (6212)
9.00 Witness: The Polygamists 450 families who are all followers of the True and Living Church of Jesus of Christ, led by Jim Harmon, actively practise plural marriage (1) (2496)
10.00 The Operation (1990) with Joe Penny, Lisa Hartman and Kathleen Quinlan. A successful surgeon is sued for malpractice. Directed by Thomas J. Wright (1) (814293)
11.45 Film Night includes a discussion on the continuing influence of François Truffaut (620670)
12.25am White Dog (1982) starring Krusty McNichol, Butch and Paul Winfield. The story of an actress who takes in a stray dog that has been trained to attack black people. Directed by Sam Fuller (743404)
2.00 Shock Corridor (1963) Melodrama with Peter Breck, Constance Towers and James Best. A crusading reporter ignores madness to solve the murder of a mental hospital inmate. Directed by Sam Fuller (1) (31201)
3.50 The Reward (1965) Western with Einar Zimbalist Jr, Max von Sydow and Yvette Mimieux. Examining the corrupting effect of greed on a group of bounty hunters. Directed by George Bourguignon (533293)
5.30 Backdate (1) (1) (79775)

- Channel 5 launches 6pm on Easter Sunday.**
- Church leader, Jim Harman (5pm)
- 9.00 Witness: The Polygamists 450 families who are all followers of the True and Living Church of Jesus of Christ, led by Jim Harmon, actively practise plural marriage (1) (2496)
10.00 The Operation (1990) with Joe Penny, Lisa Hartman and Kathleen Quinlan. A successful surgeon is sued for malpractice. Directed by Thomas J. Wright (1) (814293)
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SKY MOVIES GOLD

6.00pm Repeat the World (1949) (6275301) 6.30 The World (1949) (6275301) 6.55 The World (1949) (6275301) 7.20 The World (1949) (6275301) 7.45 The World (1949) (6275301) 8.10 The World (1949) (6275301) 8.35 The World (1949) (6275301) 9.00 The World (1949) (6275301) 9.25 The World (1949) (6275301) 9.50 The World (1949) (6275301) 10.15 The World (1949) (6275301) 10.40 The World (1949) (6275301) 11.05 The World (1949) (6275301) 11.30 The World (1949) (6275301) 11.55 The World (1949) (6275301) 12.20 The World (1949) (6275301) 12.45 The World (1949) (6275301) 1.10 The World (1949) (6275301) 1.35 The World (1949) (6275301) 1.60 The World (1949) (6275301) 1.85 The World (1949) (6275301) 2.10 The World (1949) (6275301) 2.35 The World (1949) (6275301) 2.60 The World (1949) (6275301) 2.85 The World (1949) (6275301) 3.10 The World (1949) (6275301) 3.35 The World (1949) (6275301) 3.60 The World (1949) (6275301) 3.85 The World (1949) (6275301) 4.10 The World (1949) (6275301) 4.35 The World (1949) 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TENNIS 48

Upwardly mobile
Hingis closes in
on No 1 ranking

SPORT

TUESDAY MARCH 25 1997

GOLF 50

Davies rides her
luck on the way
to fiftieth title

Managers strike deal on Giggs

Ferguson keen to relish May's blossom

BY PETER BALL AND RUSSELL KEMPSON

WHILE Glenn Hoddle, the England coach, sat through Arsenal against Liverpool last night, fingers crossed anxiously against any further withdrawals from his squad, he at least had the consolation that no one else dropped out yesterday. The players reported to the team headquarters last night for the international with Mexico on Saturday.

The main doubt concerns Gary Neville, the defender, who has ankle ligament problems and will have an examination this morning. If he is sent home, as expected, he will be replaced by his brother, Philip.

The inclusion of David May, and possibly Philip Neville, when Alex Ferguson, the Manchester United manager, withdrew Beckham and Pallister and suggested Gary Neville would also be unavailable, was widely portrayed as a rebuff for the United manager. But yesterday Ferguson welcomed May's inclusion — if possibly through gritted teeth.

"Everyone at Old Trafford is genuinely delighted for David, we're all very pleased," Ferguson said. "David has

been exceptional for us this season. He's created this position for himself, and has been selected for England because of his superb performances."

May began to make an impact towards the end of last season, keeping Steve Bruce, the club captain, out of the final games in the run-in to the double. He began the season in authoritative form, but a six-week absence for a groin operation set him back. He has returned purposefully, with two outstanding performances against FC Porto.

Overseas view 46

"I always looked upon David as a long-term replacement for Steve Bruce," Ferguson said. "I played him at right back initially because of injury to Paul Parker, and he wasn't comfortable there. He had to be given time, but I always knew he had the same qualities as Steve Bruce as a person and team player. Now every senior at the club is of international status."

That, though has its drawbacks, as Ferguson knows.

Even after the withdrawal of Beckham and Pallister, United will have 11 players away for internationals — Giggs, Keane, Irwin, Schmeichel, Cruyff and Poborsky on World Cup duty, May, Butt, Gary or Phil Neville, Solskjaer and Johnsen for other internationals. Eric Cantona will be lonely this week, although the Ireland pair do not report until Friday.

Mark Hughes, the Chelsea striker, is the main concern of Bobby Gould, the Wales manager, for the group seven World Cup qualifying tie against Belgium in the National Stadium on Saturday. Hughes is struggling with a groin strain and will receive further treatment at Stamford Bridge today before joining the Wales squad at their training camp in Newport tomorrow.

Gould is also concerned about Mark Crossley, the Nottingham Forest goalkeeper, who has recurring back trouble, but is confident that Giggs will be available. He has been troubled by a hamstring problem, yet played in United's 2-0 victory against Everton at the weekend.

Giggs withdrew from the squad for the match against Ireland in Cardiff last month, which again raised questions over his commitment to Wales and the influence that Ferguson exerts in club v country matters. Giggs has never played in a "friendly" international for his country.

However, it is believed that Gould and Ferguson have struck a gentlemen's agreement whereby Giggs will be released for some friendly internationals. The first test of the arrangement will be when Wales play Scotland in a "non-competitive" fixture on May 27.

Belgium could be without Philippe Albert, the Newcastle United defender. He injured a knee in the 1-1 draw with Wimbledon on Sunday and is rated a doubtful starter by Kenny Dalglish, the Newcastle manager. "His knee is very painful," Dalglish said.



The Oxford crew is put through its paces during a training session on the Thames yesterday. Photograph: Alex Livesey / Allsport

Oxford pass Topolski's masterclass

BY DAVID MILLER

THE last wholly amateur significant sports event in Britain — the Boat Race — promises to be of truly international standard this year. For the first time in years there is the prospect of more than a gruelling procession of endurance dominated by the leading boat, there could be a real race, a contest in which one or other of two fast crews might overtake the other.

Dan Topolski, the long-time Oxford guru, who talks the truth even if it happens to have a light-blue hue, considers that René Mijnders, the Dark Blues coach, formerly in charge of the Holland national team, has produced an elite superior even to Topolski's own formidable crews of 1981 and the record-breakers of 1984.

"They are on a par and probably better," Topolski

said, "and certainly faster than we were then." Dismissive accusations that the Boat Race is a sporting anachronism of little relevance to senior rowing hold little weight this year.

Beefsteak, the sponsor, which will negotiate for a further three-year contract after the race, is helping to sustain a traditional national event distinguished, ironically for an occasion dependent on sponsorship, by its unadorned non-commercialism. A huge BBC television audience is testimony to that.

Mijnders, wisely refusing to predict an outcome, is nonetheless optimistic about his crew, which yesterday unexpectedly weighed in at an average 11b lighter (14st 11b) than their opponents.

"We certainly should be faster than previous crews, because rowing has progressed a lot over ten years,"



Weight-in details 48

Mijnders said. "But I'm delighted with the way this crew clicks and is always a crew, and it has a very high standard."

Over the weekend, in four trial distances against a French boat containing six Atlanta medal-winners, Oxford won the sprint and both the longer distances, 2.5km and 5km, the latter two by seven and eight seconds respectively. No modest feat.

Robin Williams, the Cambridge head coach, sitting on a

run of three victories, is all too conscious of the challenge to light-blue supremacy. "We've known for eight months that we would have to be good," he said, "but this is one of the strongest crews we've ever had."

His judgment is based not on a hunch, but by cross-check references over 26 weeks against results and training performances from previous years. "Week by week, we've known exactly where we ought to be [technically and physically] and all the time we've been there," Williams said.

In blending a rhythmic, balanced crew, Mijnders has benefited from the ability and infectious personality of Tim Foster, the stroke, who is seldom without a smile. At 27, Foster is considered to be in the same league as Matthew Pinsent.

"Tim has a cool head,"

Topolski said, "and is without airs and graces. He is constructive and is always leading, in every sense."

The reservation about Oxford, for all their strengths, is that they are without Boat Race experience, having no former Blues. Cambridge have three, plus three of the Goldie crew that last year broke the record for the second string race. "I think we again have a boat, as sometimes in the past, in which the whole is greater than the sum of the parts," Williams said.

Besides those with Tideway experience, Cambridge are strengthened by two men tested in the Olympic flame, Brad Crombie, from Canada, and Alex Story. Usually winning the toss and deciding on station is of little significance. This year it could be particularly important if the crews are as close as is at present being forecast.

Leicester take stock

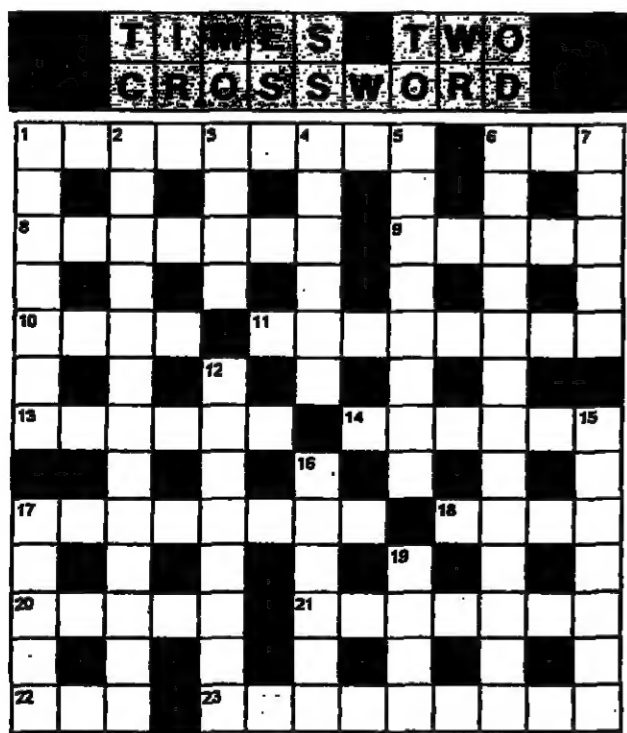
LAST August consensus held that Leicester City were prime candidates for relegation (Richard Hobson writes). They have defied such gloomy predictions emphatically and yesterday Tom Smeaton, the chairman, unveiled plans for a Stock Exchange flotation that he believes will ensure that the club emerges as a force in the Premier League from next season.

"We will not be forced to sell players like Emile Heskey, as the club has in the past," Smeaton declared. "We

want to be the best team in England and I see that as perfectly possible. It will take a tremendous amount of work from all concerned but there is no reason why we cannot compete with the likes of Manchester United."

The flotation will value the club at around £50 million and take place in mid-June to allow Martin O'Neill, the manager, to strengthen the squad for next season. Smeaton also hopes to redevelop Filbert Street.

Flotation news, page 27



No 1050

- ACROSS
- 1 Cut short (9)
 - 6 Group of tennis games (3)
 - 8 Authoritatively approve (7)
 - 9 Florida resort (5)
 - 10 "Of for a Muse of—" (Henry the 17th) (4)
 - 11 Flag, normal (8)
 - 13 Hired assassin (slang) (3,3)
 - 14 Robber outlaw (6)
 - 17 Free-form music, Disney 18 ac (8)
 - 18 Thin coating layer (4)
 - 20 Hurries; takes a plane (5)
 - 21 Thin flow (7)
 - 22 Ugly old witch (3)
 - 23 Concurrence; 2 dn (9)
- DOWN
- 1 See 4 dn (7)
 - 2 Intelligence; sympathy (13)
 - 3 Brusquely brief (4)
 - 4 "Come kiss me, sweet and—" (1 dn Night) (6)
 - 5 Fiendishly inspired, frantic (8)
 - 6 Amorous activity (4,3,6)
 - 7 See 16 dn (5)
 - 12 Asian federation (8)
 - 15 See 19 dn (7)
 - 16 "The — of our discontent" (Richard the 7th) (6)
 - 17 See 10 ac (5)
 - 19 "Full fathom —" (The 15 dn) (4)

SOLUTION TO NO 1049

ACROSS: 1 Catch a crab 9 Landing 10 Blown 11 Tart 12 Cenotaph 14 Summit 15 Filial 18 Achilles 20 Hard 22 Ewery 23 Opacity 24 Tickle pink

DOWN: 2 Acid 3 Cagney 4 Ambrosia 5 Rkija 6 Bank holidays 7 Old Testament 8 Antrim 13 Disloyal 16 Italic 17 Recoup 19 Havoc 21 Warm

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Portsmouth will ban guilty fans

BY RUSSELL KEMPSON

PORTSMOUTH will ban any of their supporters found guilty of causing trouble during the disrupted Nationwide League first division match against Queens Park Rangers at Loftus Road on Saturday. Of the seven fans arrested during the game, which was held up for 17 minutes during the second half as scuffles broke out, four of them — all from the Portsmouth area — have been charged to appear at West London Magistrates' Court on May 19.

If they are convicted, Portsmouth will bar them from attending future games at Fratton Park. One of them has already been identified and banned from the ground. "They would be excluded for an indefinite period, not just the rest of the season," Colleen Jordan, the Portsmouth press officer, said yesterday. "We have done this before and will again. We won't tolerate this sort of behaviour."

Dave Watson, the Portsmouth security officer, said: "I am liaising with the police and QPR to try to find out more about what went on and who was involved. We view this sort of incident very seriously and will be making examples of those responsible to deter anyone else from staging a repeat of such disgraceful scenes."

Trouble flared in the Ellerslie Road stand after Portsmouth supporters, unable to gain entrance into the end reserved for visiting fans, had sat in an unsegregated area. Four people were injured and the game was temporarily halted by Kevin Lynch, the referee. When it restarted, QPR went on to win 2-1.

The Football Association has written to the clubs, asking for their observations, and is also awaiting reports from Lynch and the police. "It is a matter of great concern to us and there will be a full inquiry into the events," Steve Double, an FA spokesman, said.

Eighteen arrests were made for public order offences in nearby Hammersmith later the same night. "These were not thought to be directly related to the game," a police spokesman said. "They were football fans from a variety of clubs, not just QPR and Portsmouth."

Chris Wright, the QPR owner, missed the game. He is on a skiing holiday in Aspen, Colorado. "From what I have been told, it appears as though it was a few Portsmouth yobs out to cause trouble," he said yesterday.

Gillingham will demand £300,000 from Brighton even if the clubs' proposed ground share at the Priestfield Stadium does not go ahead. Brighton, who have to leave the Goldstone Ground at the end of this season, had originally agreed to move in with Gillingham on a temporary basis.

However, the consortium that is trying to take over Brighton, has recently opened discussions with the nearby Hove greyhound stadium, apparently abandoning the idea of going to Kent.

Paul Scally, the Gillingham chairman, said: "Brighton signed an agreement to pay us £150,000 a year for two years and whether they come to us or not, that is our money. We have an agreement in place and I will hold them to that."

Healy suspended for two matches

BY OUR SPORTS STAFF

IAN HEALY, the Australia vice-captain and wicket-keeper, was suspended for the first two one-day international matches of the forthcoming seven-match series against South Africa after being found guilty of showing dissent and breaching the International Cricket Council's code of conduct on the fourth day of the third Test match in Centurion yesterday.

Australia, whose eight-wicket defeat took the gloss off their series victory, fell tamely and Healy's sparky intonings



Healy: showed dissent

ended with a display of dissent after being adjudged caught behind by Cyril Mitchell, the South African umpire.

Healy refused to leave the pitch and stood hands on hips staring at Mitchell and threw his bat in front of the team dressing-room before picking it up as he walked in.

Raman Subba Row, the ICC match referee, found Healy guilty of violating clause 3 of ICC's Code of Conduct: "Players and team officials must at all time accept the umpire's decision. Players must not show dissent at the umpire's

decision." He said in a statement: "The team captains and officials were told at the pre-series meeting that the players must accept umpires' decisions or face suspension."

Healy will miss the first two matches in East London and Port Elizabeth in the one-day series that starts on Saturday. He was reprimanded last year during the one-day series in Sri Lanka for a similar offence.

Healy is the first Australian and only the third cricketer to be suspended under ICC's code of conduct. The other two were Aqib Javed and Aamir Sohail, of Pakistan.

The Australians have sent for Adam Gilchrist, the Western Australia wicket-keeper, to join the squad. Gilchrist, who had an outstanding tour of England two years ago with Young Australia, was also flown to India last year as a replacement to Healy for a one-day series.

South Africa, meanwhile, dropped Gary Kirsten, their leading one-day run-scorer, for the series. Kirsten paid the price for a miserable Test series, in which he scored just 82 runs from six innings.

Also left out from the team which won the third Test were Brian McMillan, the all-rounder, who has a heel injury and cannot bowl, and Brett Schultz, the fast bowler.

Louis Koen, 29, the Eastern Province opener, is called up for the first time and the Natal trio of Derek Crookes, Jonty Rhodes and Shaun Pollock, and Rudi Bryson, the Northern Transvaal fast bowler, are recalled.

Deadly Donald, page 49

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